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ELECTIONS COMMISSION
City and County of San Francisco

Jennifer Meek, President
 Arnold Townsend, Vice President
 Gerard Gleason
 Richard P. Matthews
 Joseph B. Phair
 Winnie Yu

John Arntz
 Director of Elections

Shirley Rodriques
 Commission Secretary

Elections Commission Meeting
Wednesday, January 16, 2008
at 6:00 pm
City Hall Room 408

ORDER OF BUSINESS

01-10-08P03:21 RCVB

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **ANNOUNCEMENTS**

5. **Public comment on any issue within the Elections Commission's general Jurisdiction**

6. **Director's Report**

• **Division Updates**

• Ballot Distribution	• Poll Locating/ADA
• Budget/Personnel	• Poll Worker Division
• Campaign Services	• Technology Division
• Outreach	• Voter Services
• Publications	•

• Update on data for post-canvas audit of equipment

• Presentation of the Election Plan for the February 5, 2008, Primary Election

7. **Commissioners' Reports**

Commissioner Gerard Gleason to report on meeting with Director of Elections to inquire about the instructions that voters are given at polling sites regarding the use of disabled access equipment versus the use of paper ballots.

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Other Commissioners may have reports regarding the following:

- Meetings with public officials
- Oversight and Observation activities
- Meetings with nongovernmental organizations
- Long-range planning for Commission activities and areas of study

8. Committee Report

- (a) Budget and Oversight of Public Elections Committee (BOPEC) Chairperson Gleason will report on the findings of the Committee regarding Commissioner access to election procedures during elections.

9. OLD BUSINESS

- (a) Discussion and possible action regarding the effectiveness of the November 6, 2007 Election Plan.
- (b) Update of the Annual Report for 2007. President Jennifer Meek.

10. NEW BUSINESS

- (a) Discussion and possible action to adopt the following policy that is recommended by the BOPEC Committee:

"It shall be the Election Commission's policy to assess the conduct of an election as delineated in the Election Plan in specific areas, agreed upon in advance, by the Elections Commission, through reasonable and appropriate observations, investigation and/or further inquiry of those areas."

- (b) Discussion and possible action to determine areas of Commission interest and observation for the February 5, 2008, Presidential Primary Election, and which Commissioners will make those observations.
- (c) Discussion and possible action regarding a policy that the Department advises voters to use paper ballots and not the DRE that will be available at the precincts. [This item was carried over from the December Commission Meeting.]
- (d) Discussion and possible action to approve the February 5, 2008 Presidential Primary Election Plan.
- (e) Discussion and possible action to submit a request to the Board of Supervisors for a waiver allowing certain City employees or officers to work on the February 5, 2008 Presidential Primary Election.
- (f) Discussion and possible action to approve the minutes of the Elections Commission December 19, 2007 meeting.

- (g) **Discussion and possible action to amend Article V, Section 2-E of the by-laws from** "The President shall present a draft of the annual report to the full Commission in July of each year and the annual report shall be approved by the full Commission no later than August 31 of each year." **to** "The President shall present a draft of the annual report to the full Commission in November of each year and the annual report shall be approved by the full Commission no later than December 31st of that year."
- (h) **Discussion and possible action to amend Article VI, Section 3 of the by-laws from** "The Commission shall conduct performance reviews for the Director of Elections and the Executive Secretary during each fiscal year." **to** "The Commission shall conduct performance reviews for the Director of Elections and the Executive Secretary during each fiscal year beginning the fiscal year for 2008-2009."
- (i) **Discussion and possible action regarding devoting the entirety of the March 19th Elections Commission meeting to hearing feedback on the elections process from pollworkers in San Francisco.** The Commission may request the Department of Elections to distribute an announcement and information regarding the proposed Commission meeting to pollworkers. A draft of the proposed announcement regarding this agenda item will be presented at the January 16th Commission meeting. [Gleason]
- (j) **Discussion and possible action to elect Officers of the San Francisco Elections Commission.** The process shall be as follows: The current president will open nominations first for the office of president of the Elections Commission. When there are no further nominations, the president will close nominations. Public comment will then be sought. At the conclusion of public comment, there will be a roll call vote of all commissioners during which each commissioner shall say then name of a nominee for whom he or she wishes to vote. Any nominee receiving four votes shall be elected president. The same process will then be followed for the office of vice president. The terms of office for the new officers begin immediately at the conclusion of tonight's meeting. (Elec. Comm. Bylaws, Art. V, Sec. 1(B).)

11. **Discussion regarding items for future agendas**

ADJOURNMENT

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4386 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US.** Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

ELECTIONS COMMISSION
City and County of San Francisco



Jennifer Meek, President
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Gerard Gleason
Richard P. Matthews
Joseph B. Phair
Tajel Shah
Winnie Yu

John Arntz
Director of Elections

Shirley Rodriques
Commission Secretary

PROPOSED BYLAWS AMENDMENTS

The following two amendments will be considered at the January 16, 2008 Elections Commission Meeting:

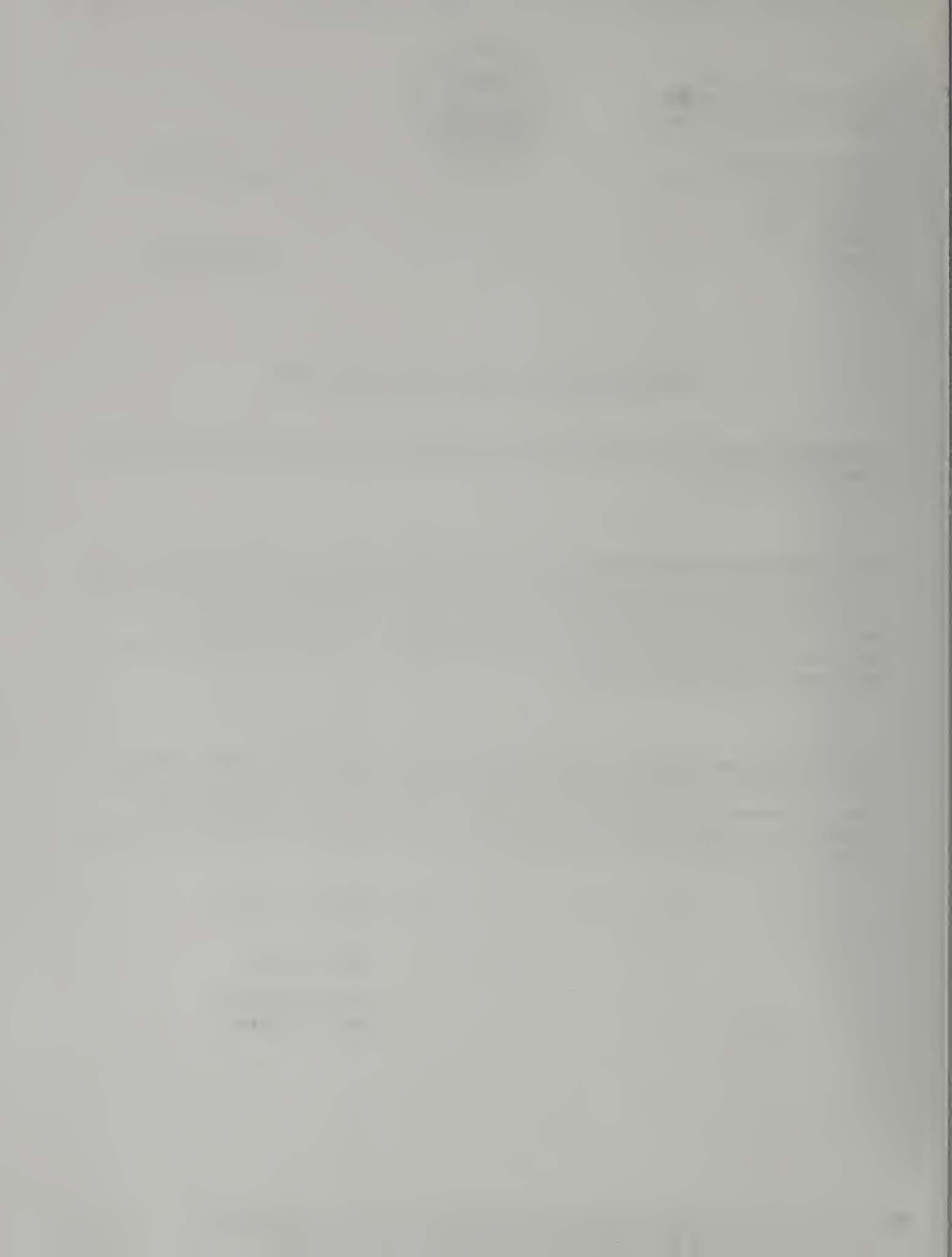
Discussion and possible action to amend Article V, Section 2-E of the by-laws from "The President shall present a draft of the annual report to the full Commission in July of each year and the annual report shall be approved by the full Commission no later than August 31 of each year." to "The President shall present a draft of the annual report to the full Commission in December of each year and the annual report shall be approved by the full Commission no later than January 31st of the following year."

(a) Discussion and possible action to amend Article VI, Section 3 of the by-laws from "The Commission shall conduct performance reviews for the Director of Elections and the Executive Secretary during each fiscal year." to "The Commission shall conduct performance reviews for the Director of Elections and the Executive Secretary during each fiscal year beginning the fiscal year for 2009."

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Elections Commission

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January 16, 2008

City and County of San Francisco

Elections Commission

Approved: 2/20/08

Minutes of the Meeting held

City Hall, Room 408

January 16, 2008

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1. President Meek called the meeting to order at 6:05 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners Arnold Townsend, Gerard Gleason, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Deputy City Attorney Andrew Shen and Director John Arntz.
3. **ANNOUNCEMENTS:** President Meek announced that Commissioner Townsend has been reappointed to another five year term by Mayor Newsom, and President Meek has been reappointed for a five year term by the Board of Education. Commissioner Tajel Shah has resigned to accept a position in the office of the Treasurer.

Commissioner Townsend asked the City Attorney to let the Commission know the policy for employees of the City being appointed to City Commissions. He gave the example of William Lee, who is employed by San Francisco as the Director of International Economic & Tourism Development and also serves on the Planning Commission. Deputy City Attorney Andrew Shen replied that many requirements are commission-specific, and that the members of the Election Commission are prohibited [per San Francisco Charter Section 13.103.5 (b)] from holding City employment.

4. **Public comment on any issue within the Elections Commission's general Jurisdiction.** Brent Turner said that his organization is looking forward to the Director going forward with the Open Source Task Force and hopeful that Jim March and Allen Deckard will be members. David Pilpel reminded the Commission that he presented a draft for a new Elections Plan format to the Commission's BOPEC (Budget and Oversight of Public Elections Committee) Committee and he hoped all Commissioners have had a change to review it. He said the draft was not intended to be a final product but was a different way to present the information, and that he hoped it is helpful and that a plan to assess the election

would be ready in time for the November 2008 election. Commissioner Matthews thanked Mr. Pilpel for his efforts in putting together the draft and presenting it to the Commission.

5. **Director's Report.**

Ballot Distribution: The Division has been working on retrieval and organization of the memo packs from the polling sites and uploading them on election night. (It should be noted that the new voting equipment is as follows: The old Eagle Machines are now replaced with the "Insight" machine; the old Optical Scanner is now replaced with the "Edge" machine). The Ballot Distribution staff is working with the Sheriff's Office for security. The Director reminded the Commission that the processing of Absentee Ballots will begin Friday, January 25, 2008 (seven business days prior to the election), and the Division is preparing for the canvass. Notice has been received that there will be a Health Service Board Election one week before the June Election.

Budget and Personnel: New staffing for the February Election is being organized, and the Budget for 2008-2009 is being drafted to present to the Commission and the Mayor's Office.

Campaign Services: The Election Observer Panel information is being prepared to send to the Grand Jury, members of the media, political organizations and the SoS (Secretary of State). The phone bank has begun and is already receiving calls regarding the election. There will be a Candidate Workshop on January 24, 2008, for the June Election.

Outreach: Yesterday the Division had an open house for the new voting system with emphasis on the "Edge" machine. Disability groups, including The Lighthouse For The Blind attended to familiarize themselves with the equipment before election day. The Division will be going to the San Mateo Jail to conduct outreach classes, in addition to the printed materials the Division provides to inmates. In addition, the Division will be doing regular community events and presentations.

Publications: The Division is reviewing the electronic ballot for the "Edge". The review includes preparing audio instructions. All voter Guides for voters who were registered by the deadline all permanent absentee ballots were taken to the Post Office by January 7, 2008. The Division is also preparing for the June Election with four measures submitted for that election.

Poll Locating/ADA: The division has experienced three site cancellations during the past week and new ones will need to be found. Staff has been working with Sequoia Voting Systems preparing for the delivery of equipment and creating route and signoff sheets for the drivers and staff. The Division is working on a layout for Pier 48 for staging the equipment for delivery to polling sites and storage after the election. Equipment delivery begins Thursday, January 31 through to the Monday before Election Day.

Pollworker Division: Seven Hundred people have completed the Division's Training classes. The training manual is on the Department's website. An Open House was held last week at Alameda College for pollworkers to have hands on experience with the new equipment. The Division is

recruited enough pollworkers to meet the language assistance requirements of the Voting Rights Act. Standby pollworkers have also been recruited. There is concern about meeting these staffing goals for the June Election because it will be the end of the school year, test finals is occurring, and the weather improves and people leave town.

Technology Division: Staff is working with Sequoia Systems to set up the computer room and test systems and troubleshooting the data systems for the Department's various divisions. The backup system for the tabulation servers is being readied and a reconfiguration of the Electric Center is planned. The memory devices from the polling sites will be uploaded at the MacAllister Street entrance to City Hall.

Voter Services: Six hundred voters have used the early voting counter at City Hall so far for the February Election. Approximately one hundred voters have used the Edge machine and there have been no problems. Applications for vote by mail ballots are being received and processed. 140,000 vote by mail ballots were sent out on January 7, 2008, and approximately 15,000 have been voted and sent back.

President Meek asked the Director for the budget due date. Director Arntz responded that February 22nd is the date the budget is to be at the Mayor's and Controller's Offices, and he plans to have it available to the Commission by mid-next week at the latest. The President asked the Director if it would be possible to include Commission-specific items in the budget before the deadline. Director Arntz said that he would be able to include any items requested and asked the Commission to email the information to him. Director Arntz inquired if there would be a BOPEC meeting in February. Chairperson Gleason answered that there would not be a meeting on the scheduled date, Wednesday, February 6th, because it would be right after the election. He said the meeting would be a special one held possibly the week before the Wednesday, February 20th regular Commission meeting.

Update on data for post-canvas audit of equipment

The Director reported that the post-canvas audit has not been done, due to preparations for the February Presidential Primary, and it appears that the SoS is very interested in seeing the results as well as the Commission.

Presentation of the Election Plan for the February 5, 2008, Primary Election

The Director gave an overview of the changes in this plan compared to the November 2007 Election Plan. Those changes include: (1) no uplink sites, everything will come to City Hall; (2) Storage of ballots will not be at 240 Van Ness, but at Brooks Hall. (3) 240 Van Ness will be used in February to distribute ballots to the pollworkers and as a supply station on Election Day. After this election, the Department will no longer use the site; (3) it is reported that the Sheriffs will retrieve the Edge machines in this plan, but will not be the case because the Sheriff Deputies report that the machines are too heavy; (4) the processing center, logic and accuracy testing, distribution and storage of the machines will now be at Pier 48, thereby eliminating COR-A-VAN; (5) before the June Election, it is planned to house all archival materials that are currently at GRM in Alameda to Pier 48. The build-out of Pier 48 will begin the end

this month which includes fencing and other security elements including cameras and alarms. The lease for Pier 48 is for four years. The Director said that this arrangement is a huge victory for the DoE.

Public Comment. *Brent Turner* said that he wanted it put on record that he is concerned about what happens to the voting machines as they relate to how the voting counts are stored. *David Pilpel* said that, after talks from the last BOPEC meeting, that the next meeting was going to be held on Jan 30.

5. Commissioners' Reports

Commissioner Gerard Gleason asked that his report regarding his meeting with Director of Elections combined with his report later in this meeting under item 10 (c).

6. Committee Report

Commissioner Gerard Gleason asked that his report regarding the findings of the Budget and Overs of Public Elections Committee (BOPEC) regarding Commissioner access to election procedures during elections be combined with his report later in this meeting under item 10 (a).

7. OLD BUSINESS

(a) Discussion and possible action regarding the effectiveness of the

November 6, 2007 Election Plan. President Meek suggested that since new assessment criteria have not been developed, that the Commission use criteria it has used in the past for the effectiveness of the November 6, 2008 Election Plan.

Commissioner Matthews MOVED and Commissioner Yu SECONDED that the Commission confirm that it has evaluated the effectiveness of the November 6, 2007 Election Plan and has found it effectively implemented.

Public Comment. *David Pilpel* said that the Commission needs a better assessment tool and that in the interim the comments from the Commission members who reported their observations of the November 2007 election be included in the minutes for today's meeting.

The Roll Call Vote to agree that the November 6, 2007 Election Plan was effective, and to attach the comments from Commissioners regarding their observations of that election to these minutes was UNANIMOUS.

- (b) **Update of the Annual Report for 2007.** President Jennifer Meek reported that the report has not been completed but she expects to bring it to the Commission next month.

8. NEW BUSINESS

- (a) **Discussion and possible action to adopt the following policy that is recommended by the BOPEC Committee:**

"It shall be the Election Commission's policy to assess the conduct of an election as delineated in the Election Plan in specific areas, agreed upon in advance, by the Elections Commission, through reasonable and appropriate observations, investigation and/or further inquiry of those areas."

Chairperson Gleason reported that the Committee, with the input of former Commissioner Taz Shah, feels that the Commission has not worked as a body in its assessment of Election Plan in the past. What is proposed is to assign interested Commissioners to election observation in areas of concern. He said that he disagrees with the Director who has said that the rights of Commissioners to observe election activities is no different than those of the public. Chairperson Gleason said that for individual members of the Commission, this is correct. However, the Commission, itself, is different. One example is the item coming up later on the agenda tonight, a waiver for public employees that the Commission must approve. Specifically in the Charter it is stated that the Commission members are allowed to participate in the election. The Commissioner said that the members can and should be able to observe documents, view operations that may be "around a corner in an L-shaped room", and allowed to go past the public's "velvet rope." Chairperson Gleason made it clear that he was not asking that this observation be accomplished without an escort. The goal is to ensure that the public has confidence that the Elections Commission knows what is going on at each election. By assigning individual Commissioners to observe chosen areas, the Commission is removing the possibility of Commissioners acting on their own. The Commission will interact with the Director and the Department in its assignments and can establish guidelines when/if necessary.

Commissioner Phair said that the emphasis on "observation" was good, and that Commissioners should keep in mind that it is just that and not to "give direction."

Chairperson Gleason reported that during the BOPEC meeting it was emphasized that Commissioners were not to have direct communication with staff during these observations, but were to communicate with the Director or his appointee about what is being observed. Commissioners will not be observing staff performance, but what is happening with the ballot – they will be observing the conduct of the election and not the administration of it.

Commissioner Townsend said that, for the record, he wanted to say that there is presently a system that is not broken and he has no idea why the Commission wants to fix it.

Commissioner Matthews MOVED and Commissioner Meek SECONDED approval of this policy.

Public Comment. *David Pilpel* said that the policy is a good idea because in the past there has not been specific designations of observation areas by the Commission for inquiry prior to election day.

Commissioner Phair asked, through the President, if the Director of Elections had any object to the proposed policy. Director Arntz stated that he had no comment regarding the language of the policy. *Brent Turner* suggested adding the word "predetermined" before the word "reasonable" in the policy. He said that in other counties, he has observed a "five-foot-distance" rule for observers, that he wants the public to enjoy the same access as the Commissioners, and that the reconciliation process is important to watch during the election.

Commissioner Gleason said that the intent would be to issue special badges to those Commissioners who have said they are interested in observing certain areas of an election and who have been authorized to do so by the full Commission.

Commissioner Townsend said that he was not in favor of the Commission making the viewing of election day areas more formal than it has been previously. He said that he thinks this is a mistake, and this may prevent the Commission and Director from working together with flexibility and "good humor."

Commissioner Gleason replied that the policy creates a reasonable relationship between the Commission and the Department. One example is the next item on the agenda – learning what happens with the DRE and the paper tapes. The new policy allows a full report from a Commissioner who has observed this first hand.

The Roll Call Vote was: Gleason-yes, Matthews-yes, Townsend-no, Phair-yes, Yu—yes, Mer yes. The vote was five to one in favor to approve this policy with the removal (suggestion by Commissioner Matthews) of the second comma in the policy text.

- (b) **Discussion and possible action to determine areas of Commission interest and observation for the February 5, 2008, Presidential Primary Election, and which Commissioners will make those observations.** Commissioner Matthews said he was interested in the DRE with the handling of its paper trail audit tapes and the remakes of ballots. Commissioner Gleason said that he was unsure of Pier 48's layout because it will be new and should be viewed, however he doesn't know what operations will be there.

Commissioner Phair asked the Director what will be occurring at Pier 48. Director Arntz replied that testing of the voting machines, delivery of equipment to the polling sites originates from the

location, and the equipment is returned here after the election, and the processing center (account of materials from the polling places, such as ballot cards, rosters).

Commissioner Gleason said that he has not observed the processing of provisional ballots at the remake process.

Commissioner Matthews said that his concern is that casual observation of random areas during election day is not valid, per his understanding of Deputy City Attorney O'Leary's instruction, for the Commission's finding that the Election Plan was adhered to. In order to assess the Election Plan, the observation must be pre-authorized by the Elections Commission. President Meek and Deputy City Attorney Shen agreed.

Commissioner Matthews recommended that someone observe how the data from DRE's is handled, observation of Remakes, and adjudication of provisional ballots for the February 5, 2008 election.

President Meek agreed to report on provisional ballots; Commissioner Matthews agreed to report on DRE's and the manual audit of the paper tapes; Commissioner Gleason agreed to report on the Remakes Process; Commissioner Phair agreed to tour City Hall with the Director of Elections and a prior tour and observation of Pier 48, for a period of time on election night; Commissioner Townsend said that he didn't know and probably would not know until Election Day, and therefore because that decision would be too late, he would not make a report; and Commissioner Yu agreed to report on language assistance services.

Commissioner Matthews MOVED and Commissioner Gleason SECONDED the approval of the assignments listed in the above paragraph.

Public Comment. *David Pilpel* said that he had wished the BOPEC had listed the areas for assignment during their meeting, but he supports this action, however it is not clear how much work will be done prior to and after election day. He suggested that Pier 48, because it is new, should be on the list. *Sacha Ielmorini* agreed that Pier 48's activities should be observed and reported in the Election Plan assessment. Additionally, she said that it's a good idea that representatives, like the Commissioners, have more access, because during the last election she too had to stand behind the "velvet ropes".

A Roll Call Vote was UNANIMOUS to accept the Commission's assignments of areas of interest and observation for the February 5, 2008, Presidential Primary Election.

- (c) **Discussion and possible action regarding a policy that the Department advises voters use paper ballots and not the DRE that will be available at the precincts.** [This item was carried over from the December Commission Meeting.] Commissioner Gleason provided the Commission with a list of his questions to the Director and the Director's responses to those questions. The Commissioner's presentation is provided as an attachment to these minutes.

Commissioner Gleason explained that he had observed a demonstration by Sequoia System Software of voting equipment at the Elections Commission last January in which the DRE (touch screen machine) had a device called a "H.A.T."

This is a magnetic card which allows voters to access and vote on the DRE, and randomized and combined the DRE votes with the optical voting machine. This is apparently not the model the City bought. The equipment purchased, does not have this capability.

Commissioner Phair asked Director Arntz about the SoS (Secretary of State)'s requirement that at least five voters, if one voter uses the touch screen voting machine at a polling site, be recruited to use it as well. The Director said that poll-workers will not try to recruit people to use these machines because he doesn't want people identified as having to use the equipment, and there is the concern of vote confidentiality. Commissioner Phair asked if anyone had approached the SoS with these concerns. Director Arntz said yes, but the requirement has not been rescinded and no guidance is forthcoming on how the county can meet the SoS's condition. Commissioner Phair said he was concerned regarding the consequence of not complying with the SoS's requirement. Deputy City Attorney Shen replied, that he was not sure if there is a clear answer. He said that if the SoS concludes that a jurisdiction is not compliant with her certification requirements, she has a range of options at her disposal. The Deputy City Attorney said he could not predict what the SoS might do. She may, because this is her first election, find that "substantial compliance may be sufficient with some of these newer requirements".

Public Comment. *David Pilpel* asked that acronyms like "DRE" be spelled out in future agendas. He also asked that if votes cast via touch screen will be a third category (optical scan and absentee voting being categories one and two) for tallying or will they be aggregated with the other votes at the polls? President Meek stated that they would not be aggregated at the polls and asked the Director if this was the case for reporting procedures. The Director indicated that the President was correct. Commissioner Gleason asked the Director what would be posted after the polls closed at the polling sites. Director Arntz replied that there will be a total from the "Insight" machine, and the pollworker will write down the totals from the results screen on the "Edge" machine. This would be the case if only one voter used the machine.

Sacha Ielmorini suggested that pollworkers handwrite all the totals instead of having the "Insight" totals on a print out, and only the "Edge" totals be handwritten. She said this protects the confidentiality of voters who must use the DRE. Commissioner Townsend suggested that the Commission forward its concern about this problem to the SoS after the election because there is not much that can be done about it before hand. President Meek suggested that the Commission appoint someone to look into this for a report after the election. Commissioner Matthews stated that he would as part of his report on his observation of the DRE and the data collection apparatus.

President Meek said that the Commission looks forward to Commissioner Matthews' post-election day report on this topic and if there are problems can seek to remedy them for the following election.

- (d) **Discussion and possible action to approve the February 5, 2008 Presidential Primary Election Plan.** Commissioner Matthews MOVED and Commissioner Meek SECONDED discussion of this item.

Discussion covered the following changes:

Page 4, #7. Include the number of party ballots. (this expense to the City and should be included).

Page 8, Damaged and Remake Ballots. Include a notification of the location where this activity happens.

Page 12,13 There is no RCV election during February. Should be removed to avoid voter confusion.

Page 7 Under the first bullet. For this election, Absentee ballots (add: **and early voting ballots**) are to be processed at the.....

Page 14,15 Remove "below" wording at end of 2. a) that comes after Remake Procedure.

and

Because the DRE procedure is new and different, include something about it in the Election Plan.

The Roll Call Vote on these changes to the Election Plan was UNANIMOUS.

The Roll Call Vote was UNANIMOUS to approve the Election Plan with the above mentioned changes.

- (e) **Discussion and possible action to submit a request to the Board of Supervisors for a waiver allowing certain City employees or officers to work on the February 5, 2008 Presidential Primary Election.** Commissioner Townsend MOVED and Commissioner Matthews SECONDED approval of the waiver.

The Roll Call Vote was UNANIMOUS to approve the waiver.

- (f) **Discussion and possible action to approve the minutes of the Elections Commission December 19, 2007 meeting.** Commissioner Matthews MOVED and Commissioner Townsend SECONDED approval of these minutes.

Public Comment. David Pilpel suggested adding the location of meeting to the minutes template.

The Roll Call Vote to approve the minutes with the addition of the meeting location was UNANIMOUS.

- (g) **Discussion and possible action to amend Article V, Section 2-E of the by-laws from “The President shall present a draft of the annual report to the full Commission in July of each year and the annual report shall be approved by the full Commission no later than August 31 of each year.” to “The President shall present a draft of the annual report to the full Commission in November of each year and the annual report shall be approved by the full Commission no later than December 31st of that year.”**

Commissioner Townsend MOVED and Commissioner Matthews SECONDED approval of the amendment.

The Roll Call Vote was UNANIMOUS to approve the Bylaws amendment.

- (h) **Discussion and possible action to amend Article VI, Section 3 of the by-laws from “The Commission shall conduct performance reviews for the Director of Elections and the Executive Secretary during each fiscal year.” to “The Commission shall conduct performance reviews for the Director of Elections and the Executive Secretary during each fiscal year beginning the fiscal year for 2008-2009.”**

Commissioner Matthews MOVED and Commissioner Meek SECONDED approval of the amendment.

Public Comment. *David Pilpel* recalled that, from a previous meeting, someone was to check with DHR regarding the time frame and process for the reviews. He suggested that it would be to do a review for this year and for each year hereafter. President Meek replied that, due to the elections in this year, it would be difficult to get the Director to set goals for the evaluation and that perhaps there will be time in July of this year. Mr. Pilpel said that there will probably always be some obstacle, for example, there may not be RCV certification in July for the November election and everyone will be too busy at that time as well.

The Roll Call Vote was UNANIMOUS to approve the Bylaws amendment.

- (i) **Discussion and possible action regarding devoting the entirety of the March 19th Elections Commission meeting to hearing feedback on the elections process from pollworkers in San Francisco. The Commission may request the Department of Elections to distribute an announcement and information regarding the proposed Commission meeting to pollworkers. A draft of the proposed announcement regarding this agenda item will be presented at the January 16th Commission meeting. [Gleason]**

Commissioner Gleason explained that the reason he asked for this item to be discussed and

acted upon at this meeting was to request the Department to hand out a flyer he is presenting to poll inspectors. (A copy of the flyer is attached to these minutes.) He said the Commission could send it out in the mail, but doesn't have in its budget for the \$225.00 in postage that would be required. It could easily be handed out to inspectors at the end of their training at the end of this month. There are 560 inspectors and many more pollworkers who have experience and insight and points of view on some of the items discussed at tonight's meeting and many other suggestions. Their feedback would be very helpful. This item is to be presented as a discussion and not an action item for the March 19, 2008 Elections Commission meeting. Commissioner Gleason said that although the Department gets feedback forms from pollworkers on Election Day, there often isn't enough time to do so adequately at that time as the questions on those forms are directed by the DoE. The idea behind this item being on the agenda is to have a free form response from the pollworkers. One concern the Commissioner said he has encountered when he works at the polls as an inspector is that people find that their names are not on the rosters because they registered at the DMV. These voters arrive at the polls with the full expectation that they will be able to vote. Commissioner Gleason said that these voters are being denied their votes because of bureaucratic snafus. This needs to be repaired. Commissioner Gleason said he would like to hear from other pollworkers whether they are encountering a significant number of voters with this problem.

Commissioner Gleason said that he is certain that the Department would find this kind of feedback valuable, and that he also expects there will be kudos for all the improvements in training the Department has made over the last five to six years.

Commissioner Townsend said that in his experience, people do not usually inconvenience themselves to tell you that you did a good job. He said that perhaps the invitation to come to the March meeting could be given verbally at the end of pollworker training, because often times people don't read everything.

Commissioner Matthews MOVED that the Commission hold the special meeting on March 19 and that a written and verbal notice be given to pollworkers concerning the upcoming meeting.

Director Arntz said that he needs to speak with the people in the Department who have designed the pollworker training program to get their opinions and that he was not satisfied with the language of the flyer. For example, it will be a Commission meeting, not a Department of Elections meeting. Director Arntz said that he doesn't know how the people doing the training will feel about adding the announcement to the end of the training "and with all due respect, I think their opinion matters in this. I need to go back and get that." He said that this is how he is going to approach this situation.

Commissioner Gleason said that he agrees that staff has input on this but that the public is served by this and that should be considered in this decision. He said that he understands the Department's sensitivity, but he doesn't see the harm to the Department or the staff in doing this.

Director Arntz said that he will ask his staff. He suggested that the Commission appoint members to go to the polls and talk to the pollworkers or attend the training classes and seek the input. Mr.

Arntz stated that until he has a chance to talk to people in the Department, this will not happen.

Commissioner Gleason repeated that he didn't see the harm in a flyer. He said he is making this proposal because there is a small window of opportunity. He asked the Director if he would give the Commission the mailing list of the pollworkers so that the Commission could mail out the flyer.

Director Arntz replied that there is a separation between the Department and the Commission, and that he understands the Commission's goals, but until he talks to the Department, he can not make any promises on this.

Commissioner Phair suggested that the wording of this item be changed to read "the Commission requests the Department" do this and if the Director is able to do it he will and if he refuses to or can't do it, we are just making a request. Director Arntz said "that is the major issue between the Commission and the Department is where is the line drawn. And if there is a request, then perhaps an expectation, the Department will react to the request, or needs to react or is supposed to, I do think that's my interpretation of the Charter – the lines between the Commission and the Department. And I'm very sensitive to that. But you can request it, but I'm telling you straight up that until I have a chance to talk to people in the Department, I'm not going to make any promise."

Commissioner Gleason said that he would like to withdraw the motion and he will donate the postage and asks the Department for a mailing list of the polling place inspectors.

Commissioner Townsend asked the Director if the Commission could have the mailing list for the pollworkers. Director Arntz replied that he didn't know.

Commissioner Phair asked if the DoE has any communication with the pollworkers after the election has occurred? Commissioner Gleason suggested that the flyer could be inserted with the pollworkers' checks.

The Roll Call Vote will be to agree to devote the March 19, 2008 Commission Meeting to hearing feedback regarding the election process from pollworkers. The dissemination of this information to the pollworkers is to be determined in the near future.

Commissioner Townsend said he was concerned regarding how or if the Commission will be able to get the information to the pollworkers and that calling a meeting does not make sense until the contact information is worked out.

Commissioner Phair reminded the Commission that the Director said he will need to check with his staff regarding this request, not that he would not do it. He asked if we could include in this motion that the Director is requested to disseminate the information.

Commissioner Gleason reminded the Commission that agenda items can always be withdrawn. And he said that if Commissioner Phair was making a motion, he would SECOND that amendment.

Public Comment. *David Pilpel* said that *Sacha Ielmorini* had to leave but gave him a note asking him to tell the Commission that she thinks getting feedback from the pollworkers in regards to future Election Plans is a good idea. Mr. Pilpel said that there may be problems getting the pollworkers' mailing information and discouraged the Commission for following that route. He recommended having the March meeting include an evaluation of the Election Plan as well as a hearing for the pollworkers, voters, campaign committees, and others. Perhaps a press release could be made that this is a major hearing to evaluate the Election Plan.

Commissioner Gleason said the meeting will be "a listening", and educational experience – there no action item. Commissioner Yu said that listening is very valuable, but a strategic goal or purpose for what will be done with the information, and it would be helpful to have the Election Plan as the anchoring document or standard by which the Commission is going to evaluate the information the Commission will be receiving.

The Roll Call Vote was: Gleason-yes; Matthews-yes; Townsend-no; Phair-yes; Yu-yes; and Meek-yes. The vote was Five to One in favor.

(j) Discussion and possible action to elect Officers of the San Francisco Elections

Commission. The process shall be as follows: The current president will open nominations first for the office of president of the Elections Commission. When there are no further nominations, the president will close nominations. Public comment will then be sought. At the conclusion of public comment, there will be a roll call vote of all commissioners during which each commissioner shall say the name of a nominee for whom he or she wishes to vote. A nominee receiving four votes shall be elected president. The same process will then be followed for the office of vice president. The terms of office for the new officers begin immediately at the conclusion of tonight's meeting. (Elec. Comm. Bylaws, Art. V, Sec. 1(B).)

President Meek opened the floor for nominations for President of the Commission. President Meek nominated Arnold Townsend and Gerard Gleason and asked if there were other nominations. There were none.

The Roll Call vote for President was:

Commissioner Matthews – voted for Gleason

Commissioner Townsend – voted for Townsend

Commissioner Phair – voted for Gleason

Commissioner Yu – voted for Gleason

Commissioner Gleason – voted for Gleason

Commissioner Meek – voted for Gleason

THE VOTE WAS FIVE TO ONE FOR GLEASON FOR PRESIDENT

President Meek opened the floor for nominations for Vice President of the Commission. Commissioner Yu nominated Commissioner Meek.

The Roll Call vote for Vice President was:

Commissioner Gleason – voted for Meek
Commissioner Matthews – voted for Meek
Commissioner Townsend – voted for Meek
Commissioner Phair –voted for Meek
Commissioner Yu – voted for Meek
Commissioner Meek – voted for Meek

THE VOTE WAS UNANIMOUS FOR MEEK FOR VICE PRESIDENT

11. **Discussion regarding items for future agendas:** (a) Format of postings at polling sites, to forward the problem to the SoS; (b) Budget; (c) Election Plan Assessment; (d) The Real I.D. Act before the Supreme Court; (e) Report from the Director regarding the implications and time frame for Real I.D. Act.

ADJOURNMENT at 8:45 pm

ATTACHMENTS:

Commissioner's Reports: November 7, 2007 Municipal Election

Commissioner Richard P. Matthews reported that he visited 31 polling places in all eleven supervisorial districts on election day, concentrating mostly along the southern and western parts of the City, followed by observing election night activities at Pier 29. In addition, he attended three training sessions before election day, and said that the training gets better with each election. He also observed some of the logic and accuracy testing at Cor-O-Van, and reported that operations were going smoothly. Following election day, he observed the processing of absentee ballots and remakes in City Hall and the manual tally in Brooks Hall. Overall, things went well, and Commissioner Matthews said that there are no questions to be raised about this election.

However, Commissioner Matthews pointed out a few issues he observed, saying that these might be one-time occurrences or they might be issues worth revisiting for future elections, possibly in terms of training more on some issues:

(a) The AutoMark machine/inadvertently steering voters to use it. Most places Commissioner Matthews observed had no voters who had used the AutoMark, but a few places had several and one polling place in particular had a short line of people waiting to use it while no other voters were marking their ballots at the regular booths. According to the inspector, the ballot clerk was saying something that seemed to be more suggestive or inviting for voters to use the AutoMark than is really intended. Commissioner Matthews raised the question of whether the current script that ballot clerks are supposed to use was from a directive issued by then-Secretary of State Bruce MacPherson sometime in 2006; Director Arntz did not recall, but Deputy City Attorney O'Leary indicated that she thought she recalled that. In any case, Commissioner Matthews asked that this issue be revisited for revising the ballot clerk script and/or training on this issue so that people who don't need to use the disabled-accessible equipment at least understand that they have the choice to mark their ballots with

the pens. Commissioner Matthews's opinion was that he saw enough voters who thought that they were being advised to use the AutoMark rather than merely offered the choice of it - and they were mostly dissatisfied with their voting experience -- that it is worth further exploring by the Department of Elections.

(b) Ballot secrecy after voting. In about one-third of the polling places that Commissioner Matthews visited, there were varying degrees of pollworkers touching voted ballot cards, for example feeding them into the Eagle scanners. There were a handful of occasions he observed when the Eagle scanner would beep and give the alarm about the ballot card, and rather than reading the tape or the script, the Eagle clerk would come around to the front of the scanner and look at the voter's ballot to detect what the issue was. A lack of sensitivity to secrecy of a voted ballot card is probably a training issue.

(c) In about half the polling places Commissioner Matthews visited, there was some confusion on the part of the Eagle clerk as to what to do when the Eagle signaled some issue with the ballot card. They were not consistently following the script, and seemed somewhat surprised that the machine beeped, despite over 80% of ballots triggering this signal all day.

(d) Red Box seals. There was a wide disparity of how or even whether to secure the red box among polling places Commissioner Matthews visited. Some had no seals on the box, and several had a seal only on one side of the box, thus rendering it completely unsecured. This is a training issue.

(e) The Voter Information Kiosk. Commissioner Matthews again expressed how much he likes the newly introduced kiosk, that it was very helpful for organizing the tables at the polling places, and that it was a great idea.

Commissioner Gleason reported that he served as a pollworker (inspector) on election day. As usual the department did a terrific job organizing the election. The precincts were well supplied this year, and the Commissioner commended the department on the innovative information kiosk which was easy to set up and was a big help with consolidation of space needed to post voter information. He concurred with Commissioner Mathews on voter confusion with the purpose of the Automark machine...noting that the brand name "AutoMark" is a bit of a misnomer. He stated that he continues to be truly disturbed with the situation of the wholesale hand duplication (remaking) of 110,000 ballots and considers the Secretary of State to be in error ordering the massive number of remakes, which are typically only used in extreme cases of not being able to process a ballot. Last, he said he believes the Commission should look into the issue of voters who arrive at the polls, to not find their name on the roster. Many of these voters state they register to vote with DMV motor-voter. The expectations of these voters are not being met and this is in fact systematic denial of voting to such individuals.

President Meek reported that she observed the media reports on election day, talked to people in her neighborhood about their voting experiences, observed the ballots being processed and was disappointed in the low voter turnout.

Report on Item 7 & 10c.

Current statement to voters at precincts:

Please sign on the line next to your name. You will receive a paper ballot unless you would prefer a

touchscreen or audio ballot.

If voter asks for more information, say: The Edge machine has a touchscreen with large-print or an audio option with Braille keypad & ballots in English, Chinese, Spanish.

1) QUESTION: The current language / instructions given to voters was developed by which agency?

RESPONSE: Developed by SF DOE for balance and to allow for no presumption of disability to be made by poll workers; instead choice of voting method is left to the voter to determine which voting method is best suited.

2) QUESTION: Is the current language mandated or is it recommended policy?

RESPONSE: Developed by DOE. DOE operates under both Help America Vote Act (HAVA) and Americans with Disabilities Act (ADA).

3) QUESTION: Does California Election Code or SOS require notification to voters that they should review the paper printout (VVPAT) on DREs before finalizing vote?

RESPONSE: This notification is in the Voter Information Pamphlet and with Edge touch screen voting machine instructions.

4) QUESTION: The Election Plans as approved and posted for the past several elections using the AutoMARK specifically mention that the AutoMARK is not a vote tabulation device. Assuming that the next Election Plan using the Sequoia device will disclose that the Sequoia device is an actual vote tabulation device, can a notice be posted to include a statement that the Sequoia device is a vote tabulation device which will be part of or alongside notice of reviewing VVPAT? Further, can such a notice include a statement that the paper trail generated (VVPAT) is not a paper trail directly marked by the voter's hand?

RESPONSE: According to the Director, the information regarding the (ES&S) AutoMARK device being a ballot marking device that does not tabulate votes was included as a method to explain to voters using the AutoMARK that votes processed by the AutoMARK would have to be transported to a central location to be tabulated. The statement from the previous Election Plans for the AutoMARK device was as follows:

Beginning January 1, 2006, the Help America Vote Act (HAVA, 2002) requires all polling places throughout the country to provide equipment that allows voters with, but not limited to, sight and mobility impairments to vote independently and privately. To meet this requirement, the DOE has purchased the AutoMARK from Elections Systems and Software (ES&S). The AutoMARK, often referred to as a "ballot-marking" machine is not a tabulator and does not count votes or record any information from the ballot, but simply assists voters in marking their selection on paper ballots. The Department will tally votes from the Eagle and AutoMARK independently of one another; voted AutoMARK ballots will be secured and brought back to City Hall on election night and will be tallied using a central count machine.

[November 7, 2006 Election Plan, P.2, New Equipment]

5) QUESTION: Can it be mentioned that the Sequoia device is for voters with special needs?

RESPONSE: The current statement as presented allows voters to make the choice.

Note:

In the VIP, the Director's letter (P.2) mentions the new voting device:

"...each polling place will have a new piece of voting equipment that is accessible to voters with disabilities, and that allows people to vote independently and privately."
and

Voting with the Accessible Touch Screen Voting Machine (P. 16)

"For the February 5, 2008 election, each polling place will have one accessible touch screen voting machine that assists voters with disabilities to vote independently and privately."

6) QUESTION: Can precinct voters be asked if they have used the optical scan ballots previously and without problems that may require added assistance?

RESPONSE: As further clarification for voters, the Director sees no immediate problem with this, however it is not part of current instructions to poll workers for this election.

Item 10 i.

DRAFT

Attention Precinct Inspectors

The San Francisco Department of Elections and the San Francisco Elections Commission will be devoting the regular scheduled Elections Commission meeting on March 19, 2008 to listening to feedback from you—the election day polling place staff.

For many voters, the polling place staff are the only point of personal contact with election operations, therefore the Department of Elections and the Elections Commission would like to invite you to attend this meeting and allow us to hear from you about your observations on the conduct of elections and your ideas for creating the best possible experience for the voting public.

The meeting will be held at:

City Hall, Room X

6:00 PM

Wednesday March 19, 2008.

All interested polling place inspectors and clerks, as well as interested members of the public, are encouraged to attend.

We realize that not everyone will be able to make this special meeting, however we would like to hear your thoughts and ideas. Please send any written comments before March 19 to:

Shirley Rodriques

San Francisco Elections Commission

City Hall Room 48

One Dr. Carlton B. Goodlett Place

San Francisco CA 94102

or by e-mail to:
Shirley.Rodriques@sfgov.org.

If you would like to have a reminder sent to you for this meeting, please contact
Shirley.Rodriques@sfgov.org
Reminders will be sent out the week of March 10.

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
 Jennifer Meek, Vice President
 Richard P. Matthews
 Joseph B. Phair
 Arnold Townsend
 Winnie Yu

John Arntz
 Director of Elections

Shirley Rodriques
 Commission Secretary

Elections Commission Meeting
Wednesday, February 20, 2008
at 6:00 pm
City Hall Room 408

ORDER OF BUSINESS

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **ANNOUNCEMENTS**

5. **Public comment on any issue within the Elections Commission's general Jurisdiction**

6. **Director's Report**

• **Division Updates**

• Ballot Distribution	• Poll Locating/ADA
• Budget/Personnel	• Poll Worker Division
• Campaign Services	• Technology Division
• Outreach	• Voter Services
• Publications	•

7. **Commissioners' Reports**

- Meetings with public officials
- Oversight and Observation activities
- Meetings with nongovernmental organizations
- Long-range planning for Commission activities and areas of study

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8. Commissioners' Reports and Updates on Observations and Activities Related to the Conduct of the February 5, 2008 Presidential Primary Elections, including assigned observations:

- (a) Disposition of Provisional Ballots (Meek)
- (b) Remake Process (Gleason)
- (c) Language Assistance Services (Yu)
- (d) Function and Processing of Votes from the new Assisted Voting Device: Edge (Touchscreen DRE) (Matthews)
- (e) New Department of Elections Facilities at Pier 48 (Phair)

9. Committee Reports

Report from the Budget and Oversight of Public Elections Committee regarding meeting of February 12, 2008. (Commissioner Yu)

10. NEW BUSINESS

- (a) Discussion and possible action to approve the Department of Elections' Budget for Fiscal Year 2008-2009.
- (b) Discussion and possible action on communications to the Commission from the Public. (Commissioner Gleason)
- (c) Discussion and possible action to approve the Minutes of the January 16, 2008 Commission meeting.

11. Discussion regarding items for future agendas

ADJOURNMENT

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4386 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

Elections Commission

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February 20, 2008

City and County of San Francisco Elections Commission

Approved: March 19, 2008

Minutes of the Meeting held

City Hall, Room 408

February 20, 2008

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- President Gleason called the meeting to order at 6:20 pm.
- 2. **COMMISSION MEMBERS PRESENT:** Commissioners Arnold Townsend, Gerard Gleason, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Deputy City Attorney Jon Givner and Director John Arntz.
- 3. **ANNOUNCEMENTS:** President Gleason announced there have been new appointments to the Budget and Oversight of Public Elections Committee: Commissioners Matthews, Phair and Yu, with Commissioner Yu as Chairperson.
- 1. **on any issue within the Elections Commission's general Jurisdiction.** *Tim Meyer* said that the Director was given a demonstration of a voting machine on a CD had been delivered to the Director, and that CD can print a ballot for the user. *Brent Turner* added that there will be updates to this CD in the future, and that he has another copy if anyone wants to see it. Mr. Turner said that there are open source systems currently going for certification, and mentioned his hopes for the future of the Open Source Task Force.
- 5. **Director's Report.**
Ballot Distribution: The Division has been running the canvass at Pier 48 for the past two weeks in addition to processing the ballots in City Hall. There is a possibility of completing the canvassing by the end of this week but there is the probability that it may take a few days longer.

Budget and Personnel: The Division is concentrating on getting the budget information in the system since tomorrow is the deadline.

Campaign Services: There will be an April Special Primary Election. This is new information since the last Commission meeting. The nomination period ends Monday, February 25, and Division is preparing the guides for this as well as the June election.

Outreach: This Division's staff has been working with other Divisions on the provisional and absentee ballots, and canvassing. Additionally, staff attended 180 outreach events for the February election, made presentations to over 8000 people, and collected over 12,000 registration cards. The Associated Press ran a story that was picked up by the San Jose Mercury News about the Department's ex-offender program.

Publications: The Division's staff is co-managing the canvassing, is involved in the logic and accuracy testing of the equipment as well as processing provisional and absentee ballots. TI Division will be conducting the first meeting of the Ballot and Simplification Committee meetir for the June election. The Director reminded the Commission that this is the third time in thr or four years that the Department has had to work on simultaneous elections.

Poll Locating/ADA: The Division has sent out availability letters to precincts which will be involved in the April Special Primary Election, and has received 60 responses. This Division the first to experience the positive impact of the new Pier 48 space because they will not hav move equipment and materials to multiple locations for the upcoming elections. The single location staging is much more efficient.

Pollworker Division: Pollworker evaluation forms from voters and evaluations from the Field Election Deputies (FEDs) are being reviewed. Availability letters to workers for the April Spe Primary Elections have been mailed, and checks have been mailed to the February election workers.

Technology Division: Staff is issuing daily election results reports. The Director reported tha database support has demanded much of the staff's time over the past several weeks, as preparations are made for the April and June elections.

Commissioner Townsend praised Charles McNulty and his Outreach staff on the work they have dor make ex-offender voting outreach a success.

Commissioner Meek congratulated the Department on the ex-offender program and the success of t February election with the added difficulties of transferring to a new voting equipment, and a new sta location.

Public Comment. *David Pilpel* said that he had suggested that the City look into reimbursement for April election from the state and asked if there had been an answer, and will the Voter Information Pamphlet (VIP) for that election be produced with a minimum amount of paper. Commissioners Matthews and Gleason asked the Director about his plans. Director Arntz responded that there will I VIP, he is looking into reimbursement and added that there will be 107 precincts involved in the April

election.

6. Commissioners' Reports and Updates on Observations and Activities Related to the Conduct of the February 5, 2008 Presidential Primary Elections, including assigned observations.

Commissioner Matthews reported that on February 13, he observed the paper audit trail manual tally at Pier 48. There were 132 precincts at which at least one person voted using the Edge Equipment. Most of these machines had only one or two users. Those examining the manual tally reported that the machines had been very effective and the tally was matched with the information from the chip in the equipment. Commissioner Matthews plans to give a more detailed report and to share photos he took at the next Commission meeting.

Commissioner Yu reported that she visited the call center for voters with language needs and the general problem center where concerns were being logged on election day. She reported that both centers were functioning well and had either paper or electronic back up for their reports and response times for resolving problems. The Commissioner observed that the general turnout of voters in City Hall was high for this election.

Commissioner Phair reported that two weeks prior to the election he toured the new facilities at Pier 48 with the Director and the Pier 48 Manager. The location was well-staged, well-organized and very cold and windy. He said staff were doing an excellent job. The cyclone fence hadn't yet been installed, and the facilities were minimum. Security appeared to be very good and staff were carefully loading, testing, locking and sealing equipment in preparation to stage for transfer to the polling sites. Commissioner Phair also took his first tour of the Department and said he was very impressed with the staff – everyone was very cooperative, knowledgeable, and willing to take the time to speak with him and explain their responsibilities and how their areas functioned. The Commissioner said he was impressed with the volume of materials that pass through the offices, especially the vote-by-mail ballots and their sorting and that he hoped that the facilities at Pier 48 can be improved to provide better working conditions for the people who work there.

Commissioner Meek passed out a draft of her report to the Commission regarding her observations of provisional ballot processing. She explained that the ballots go through three stages of review before the decision is made whether a ballot will be counted. There were approximately 19,000 ballots from the February election which is much more than usual, and it is believed that a large number of voters voting outside their party was the cause. The Commissioner said that the process was in line with the Election Plan for this election, and that although there were multiple areas of review for the ballots, which is very time consuming, that assures that every ballot has a fair chance of being accepted. Commissioner Meek added that she was very impressed with the public access to view these procedures. She recommended that perhaps the number of provisional ballots could be reduced through additional voter education about what happens to ballots, and suggested that this topic could be something for the Commission to examine further.

Commissioner Townsend reported that he visited his polling precinct although he votes

absentee, and he visited City Hall. He observed staff were working hard, and said that this has been the case for the past six years that he has been a Commissioner.

Commissioner Gleason observed the remake process. He explained that remakes are done provisional, damaged, unreadable or unprocessable ballots that don't make it through the regular voting equipment. These ballots have to be hand duplicated. The Commissioner took a brief tour on February 12 of Room 34, and was given an "Observer Guide" which he said was excellent in explaining the process. There were six to eight staff in Room 34, and the supervisor approached him at the entrance, showed him an original random ballot and the duplicate that was made with its the control number and the supervisor explained the entire process to the Commissioner. Commissioner Gleason observed that the orange plastic numbered seals that are placed on the Insight machine and other materials don't function as security seal because they come off and can be reapplied too easily. He suggested that they be made of paper so they must be broken for accessibility if their purpose is to provide security.

Public Comments. *Brent Turner* said that in his experience of observing elections in many counties, San Francisco's elections procedures are, in his opinion, "at the top". *David Pilpel* said that he appreciates the process of the Commissioners reporting on their assignments and that he hopes the Budget and Oversight of Public Elections Committee will review all the comments and bring it back to the full Commission as part of the review and evaluation of the Election Plan.

7. **Report from the Budget and Oversight of Public Elections Committee regarding meeting of February 12, 2008.** Commissioner Yu reported that the new Committee met and reviewed the budget documents provided by the Director for fiscal year 2008-09. Additional documentation including an organizational chart and summary of permanent salaries were provided. After discussion, the Committee agreed to recommend that the budget be approved by the Commission pending receipt and review of these documents by the full Commission.

8. NEW BUSINESS

1. Commissioner Meek asked that two items be added to the budget: \$10,000 for a Commission office. Director Arntz agreed and said he could add it to the budget and asked the Commission to support the addition by writing an explanation for the funds. Commissioner Meek said she would write a substantiation for the funding. Commissioner Matthews added that the Committee had been advised at the BOPEC meeting to provide a paragraph in the budget explaining the duties of the Commission Secretary to justify that salary. President Gleason asked if the entire Pollworker Division was staffed by people having temporary status. Director Arntz said that is true. President Gleason said that this is a problem and that should these workers leave, there would be no continuum of experience. Director Arntz said that the temporary staff status is a result of what the Board and Budget Analyst approved years ago, and the Department has been trying to change this since then. He asked the Commission to provide support for permanent staffing.

Director Arntz advised that if the Commission approved the budget at this meeting, the budget will still have more changes in the months ahead.

Commissioner Phair asked where are the budget materials that are going to the Mayo since what the Commission has is a summary. Director Arntz said that what the Commission has is a report from the Controller's Budget Report for the entire City, and that he presented the information as a "snapshot demonstration" of the budget. Commissioner Phair asked what is the \$19M number? Director Arntz answered that it was for the current fiscal year, and the Commission would be approving \$13M for the upcoming fiscal year. The drop is because there will be fewer elections in that cycle.

Commissioner Phair asked if "work orders" would come from a budget item. Director Arntz replied that "work orders" come from the General Fund, and is part of the DoE Budget. The Commissioner said that he was familiar with a budget that had a spread sheet of materials and supplies, and one for salaries with each person's name, position and current salary and any increases expected in those salaries. Director Arntz said that the City's budget would essentially show the same information.

Commissioner Matthews called the Director's attention to the Organizational Chart he presented at this meeting and noted that only one person's name was assigned to a position. He asked who the names were for the top line of people. Director Arntz said that it would be a simple task to email all the names to the Commission President with the proper spellings. Commissioner Matthews asked if the top line of Managers on the Chart had the proper classifications and pay rate for the work performed. Director Arntz said that he was seeking management positions for those staff but that at present, what is on the Chart is current. Commissioner Matthews asked if the Commission could lobby for making those positions equitable in pay to their titles. Director Arntz said he would welcome the Commission having conversations with the Mayor's Budget Office or the Mayor to explain its concerns for the positions and classifications for the Department. Director Arntz said he would let the Commission know which positions to promote.

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Deputy City Attorney Jon Givner suggested that if the Commission wanted to authorize one or more Commissioners to draft a letter regarding the budget, that it be done formally.

Commissioner Matthews MOVED that the Commission authorize Commissioner Meek to draft statements about the Commission's Real Estate needs and a description

about the Commission Secretary position for inclusion in the DoE Budget for 2008-2009.

Commissioner Phair offered a resolution that it is the recommendation of the Commission that these letters be drafted and that Commissioner Meek put together the background materials for support of those two items.

Commissioner Matthews volunteered to draft the portion of the letter to explain the Commission's support that all Division Managers be upgraded to managerial positions, be classified and paid properly. He added that he would begin this assignment once the Director sends him the information about the managers' classifications and salaries for staff for whom the Director is seeking upgrades.

Commissioner Meek SECONDED.

Public Comment. *David Pilpel* said it was difficult for him to comment on the budget because what has been given to the Commission is incomplete information. He suggested that it would be confusing if the Commission was supporting a item not in the budget – like the \$10,000 for Commission office space. It would take a motion to amend the proposed budget to upgrade the managers already listed in the budget proposal.

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Deputy City Attorney Givner said that the Commission's authority regarding the Budget was to approve or not approve it, not to make line edit changes to it. However, the Commission could make a recommendation, but ultimately its vote is yes or no on the Budget.

Commissioner Phair said that this is understood and that the resolution will make recommendations.

A Roll Call Vote to approve this resolution was UNANIMOUS.

Commissioner Phair MOVED that the Budget for 2008-2009 be approved as presented and that the Commission recommend to the Department the allocation of \$10,000, or the appropriate amount, for a Commission Office space for its secretary. Commissioner Meek SECONDED.

Commissioner Townsend said that he was confused by the Commission approving the Budget as presented and in the same motion change the Budget.

Deputy City Attorney Givner explained that the Commission was approving the Budget as submitted and at the same time was recommending that the Director add the \$10,000 to the Budget at his discretion, and that the Commission would approve a Budget with this additional \$10,000 for real estate.

Public Comment. *David Pilpel* reminded the Commission that it did not have all the information it needs to approve the Budget. He said that the current ASO detailed in the information given to the Commission has 22 positions, and does not reconcile to the Organizational Chart presented tonight which shows 27 positions. There are also positions on the Chart that are not included in the Budget information presented to the Commission, and there's no detail included for the 2008-09 Budget, just a summary amount for permanent salaries. The Temporary salaries (\$1.9M) in the Director's handout for tonight's meeting does not reconcile to the \$2.231M that was included in the material presented last week; the detail in the materials and supplies and non-personal services does not reconcile to the eight page chart from last week. Mr. Pilpel said that he disagreed with the Deputy City Attorney regarding whether the Commission has the ability to amend the Budget, he said that it was his understanding that all Commissions with Budgetary approval authority have the ability to amend the budget that's presented by their departments. He said that the hearings for approval of the Elections Department Budget have not assisted him, as a member of the public, with enough information to form an opinion whether the Budget is adequate because he has not been given the information he has been requesting for over a month and that the level of detail of information has been inadequate.

The Roll Call Vote to approve the Elections Department Budget for FYI 2008-2009 was: Matthews – Yes; Townsend – Yes; Phair – Yes; Yu – Yes; Meek - No; and Gleason – Yes. Motion CARRIED 5 to 1.

1. (Commissioner Gleason)

President Gleason presented a copy of an email from a member of the public who complained that the format of the February 5, 2008 Presidential Primary Ballot was confusing because the ballot's formatting and design put more emphasis on the propositions. The complainant didn't realize he hadn't noticed and voted for the Presidential Candidate until his ballot had already been processed. President Gleason also presented sample ballots from previous elections along with a sample of the ballot in question and explained that he understood that the Department was making good use of the least amount of paper, but he understood why the member of the public was complaining. The Commissioner said that he witnessed voters with the same concern, not being able to locate the Presidential Candidates on the ballot, when he was at the polls on Election Day. He suggested that perhaps the pollworkers could point out where the candidates are if there's a ballot with this same configuration in the future.

Commissioner Phair said that he had a voter make the same comment to him and that the voter almost missed seeing the Presidential Candidates boxes on the ballot. He said that this election had been unique because the DoE had so many ballot propositions which took up most of the space on the ballot. He suggested that a citizen advisory group, perhaps the Ballot Simplification Committee, look at ballot designs – like a fresh set of eyes – and give appropriate comments to the Director of Elections.

Commissioner Townsend said that he voted and thought the ballot wasn't a problem. He said that voters should look at the entire page. The Commissioner said he was concerned that one letter of complaint to the Commission was not necessarily something the Commission should take up as an issue. He said the complainant deserves a response from the Department not the Commission.

President Gleason responded that the new voting machines get down to very small fractional numbers of voters, and the Commission should respond to fractional numbers of voters. He reminded the Commission of Commissioner Matthews report earlier in the meeting of 132 voters on the touch screen voting devices, and that is a small number. Although the Commission received only one letter regarding this concern, President Gleason said he encountered two voters who expressed confusion at the polling site he worked on Election Day, and asked how many others the Commission didn't hear from or who weren't even aware that they missed this part of the ballot.

Commissioner Townsend responded that he couldn't imagine a voter forgetting to vote for a Presidential candidate.

President Gleason said that this was not an action item and that he presented it as "food for thought" for caution's sake.

Public Comment. *Alec Bash* said that although everyone in the meeting room could have figured out the ballot, many people were voting for the first time. He said the ballot design is very important and he hoped that professionals like the Ballot Simplification Committee could take a look at ballot designs and listed several states and situations where ballot design had caused problems in past elections. Mr. Bash suggested that if the narrow column with the candidates had been on the right hand side of the ballot, voters may not have missed it. *David Pilpel* suggested that it might be worth a special hearing to discuss ballot designs, layouts and styles. He referred to a recent *L. A. Times* story about a ballot design problem in that county. *Kevin Shiue* said that the recent election was the first time he worked as a pollworker and that he had witnessed several voters who had missed the candidates on the ballot. He suggested that because the Insight Voting Machines reject double and no votes, perhaps it could reject ballots that have blank responses for parts of the ballot,

forcing the pollworker to manually input the ballot if it was the voters intend to leave a section vacant. Mr. Shiue asked if there was any user testing of a ballot design before it is finalized.

Commissioner Phair asked if the Director could respond to the question regarding user testing of ballot designs. Director Arntz responded that there is no user review of the ballots, and that they are formatted according to the requirements of the Elections Code. He said that the ballot style in question has been used before in primaries.

**1. Discussion and possible action to approve the Minutes of the
January 16, 2008 Commission meeting.**

Commissioner Meek MOVED and Commissioner Yu SECONDED approval of the minutes. The Roll Call Vote was UNANIMOUS to approve the minutes.

9. Discussion regarding items for future agendas

President Gleason said that he will have pollworker feedback on their experiences during the election on the next agenda. He asked the Commission Secretary to help to send out a press advisory, similar to the one used for the Voting Systems Forum the Commission held in the past, to get pollworkers to attend. President Gleason said that these workers, who are spending 14 and 16 hours on Election Day with ballots and voters (some of whom have 10+ years experience), would be able to supply worthwhile feedback, advice and possibly praise to the Department.

Public Comment. *David Pilpel* asked if the Election Plan for the Special Election would be on the agenda for the next full Elections Commission meeting.

ADJOURNMENT at 7:54 pm

DRAFT

City and County of San Francisco

Elections Commission

Approved: _____

Minutes of the Meeting held

City Hall, Room 408

February 20, 2008

1. President Gleason called the meeting to order at 6:20 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners Arnold Townsend, Gerard Gleason, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Deputy City Attorney Jon Givner and Director John Arntz.
3. **ANNOUNCEMENTS:** President Gleason announced there have been new appointments to the Budget and Oversight of Public Elections Committee: Commissioners Matthews, Phair and Yu, with Commissioner Yu as Chairperson.
4. **Public comment on any issue within the Elections Commission's general Jurisdiction.** *Tim Meyer* said that the Director was given a demonstration of a voting machine on a CD had been delivered to the Director, and that CD can print a ballot for the user. *Brent Turner* added that there will be updates to this CD in the future, and that he has another copy if anyone wants to see it. Mr. Turner said that there are open source systems currently going for certification, and mentioned his hopes for the future of the Open Source Task Force.
5. **Director's Report.**
Ballot Distribution: The Division has been running the canvass at Pier 48 for the past two weeks in addition to processing the ballots in City Hall. There is a possibility of completing the canvassing by the end of this week but there is the probability that it may take a few days longer.

Budget and Personnel: The Division is concentrating on getting the budget information in the system since tomorrow is the deadline.

Campaign Services: There will be an April Special Primary Election. This is new information since the last Commission meeting. The nomination period ends Monday, February 25, and Division is preparing the guides for this as well as the June election.

Outreach: This Division's staff has been working with other Divisions on the provisional and absentee ballots, and canvassing. Additionally, staff attended 180 outreach events for the February election, made presentations to over 8000 people, and collected over 12,000 registration cards. The Associated Press ran a story that was picked up by the San Jose Mercury News about the Department's ex-offender program.

Publications: The Division's staff is co-managing the canvassing, is involved in the logic and accuracy testing of the equipment as well as processing provisional and absentee ballots. The Division will be conducting the first meeting of the Ballot and Simplification Committee meeting for the June election. The Director reminded the Commission that this is the third time in three or four years that the Department has had to work on simultaneous elections.

Poll Locating/ADA: The Division has sent out availability letters to precincts which will be

involved in the April Special Primary Election, and has received 60 responses. This Division is the first to experience the positive impact of the new Pier 48 space because they will not have to move equipment and materials to multiple locations for the upcoming elections. The single location staging is much more efficient.

Pollworker Division: Pollworker evaluation forms from voters and evaluations from the Field Election Deputies (FEDs) are being reviewed. Availability letters to workers for the April Special Primary Elections have been mailed, and checks have been mailed to the February election workers.

Technology Division: Staff is issuing daily election results reports. The Director reported that database support has demanded much of the staff's time over the past several weeks, as preparations are made for the April and June elections.

Commissioner Townsend praised Charles McNulty and his Outreach staff on the work they have done to make ex-offender voting outreach a success.

Commissioner Meek congratulated the Department on the ex-offender program and the success of the February election with the added difficulties of transferring to a new voting equipment, and a new staging location.

Public Comment. *David Pilpel* said that he had suggested that the City look into reimbursement for the April election from the state and asked if there had been an answer, and will the Voter Information Pamphlet (VIP) for that election be produced with a minimum amount of paper. Commissioners Matthews and Gleason asked the Director about his plans. Director Arntz responded that there will be a VIP, he is looking into reimbursement and added that there will be 107 precincts involved in the April election.

6. Commissioners' Reports and Updates on Observations and Activities Related to the Conduct of the February 5, 2008 Presidential Primary Elections, including assigned observations.

Commissioner Matthews reported that on February 13, he observed the paper audit trail manual tally at Pier 48. There were 132 precincts at which at least one person voted using the Edge Equipment. Most of these machines had only one or two users. Those examining the manual tally reported that the machines had been very effective and the tally was matched with the information from the chip in the equipment. Commissioner Matthews plans to give a more detailed report and to share photos he took at the next Commission meeting.

Commissioner Yu reported that she visited the call center for voters with language needs and the general problem center where concerns were being logged on election day. She reported that both centers were functioning well and had either paper or electronic back up for their reports and response times for resolving problems. The Commissioner observed that the general turnout of voters in City Hall was high for this election.

Commissioner Phair reported that two weeks prior to the election he toured the new facilities

Pier 48 with the Director and the Pier 48 Manager. The location was well-staged, well-organized and very cold and windy. He said staff were doing an excellent job. The cyclone fence hadn't yet been installed, and the facilities were minimum. Security appeared to be very good and staff were carefully loading, testing, locking and sealing equipment in preparation to stage for transfer to the polling sites. Commissioner Phair also took his first tour of the Department and said he was very impressed with the staff – everyone was very cooperative, knowledgeable, and willing to take the time to speak with him and explain their responsibilities and how their areas functioned. The Commissioner said he was impressed with the volume of materials that pass through the offices, especially the vote-by-mail ballots and their sorting and that he hoped that the facilities at Pier 48 can be improved to provide better working conditions for the people who work there.

Commissioner Meek passed out a draft of her report to the Commission regarding her observations of provisional ballot processing. She explained that the ballots go through three stages of review before the decision is made whether a ballot will be counted. There were approximately 19,000 ballots from the February election which is much more than usual, and it is believed that a large number of voters voting outside their party was the cause. The Commissioner said that the process was in line with the Election Plan for this election, and that although there were multiple areas of review for the ballots, which is very time consuming, that assures that every ballot has a fair chance of being accepted. Commissioner Meek added that she was very impressed with the public access to view these procedures. She recommended that perhaps the number of provisional ballots could be reduced through additional voter education about what happens to ballots, and suggested that this topic could be something for the Commission to examine further.

Commissioner Townsend reported that he visited his polling precinct although he votes absentee, and he visited City Hall. He observed staff were working hard, and said that this has been the case for the past six years that he has been a Commissioner.

Commissioner Gleason observed the remake process. He explained that remakes are done for provisional, damaged, unreadable or unprocessable ballots that don't make it through the regular voting equipment. These ballots have to be hand duplicated. The Commissioner took a brief tour on February 12 of Room 34, and was given an "Observer Guide" which he said was excellent in explaining the process. There were six to eight staff in Room 34, and the supervisor approached him at the entrance, showed him an original random ballot and the duplicate that was made with its control number and the supervisor explained the entire process to the Commissioner. Commissioner Gleason observed that the orange plastic numbered seals that are placed on the Insight machine and other materials don't function as a security seal because they come off and can be reapplied too easily. He suggested that they be made of paper so they must be broken for accessibility if their purpose is to provide security.

Public Comments. *Brent Turner* said that in his experience of observing elections in many counties, San Francisco's elections procedures are, in his opinion, "at the top". *David Pilpel*

said that he appreciates the process of the Commissioners reporting on their assignments and that he hopes the Budget and Oversight of Public Elections Committee will review all the comments and bring it back to the full Commission as part of the review and evaluation of the Election Plan.

7. **Report from the Budget and Oversight of Public Elections Committee regarding meeting of February 12, 2008.** Commissioner Yu reported that the new Committee met and reviewed the budget documents provided by the Director for fiscal year 2008-09. Additional documentation including an organizational chart and summary of permanent salaries were provided. After discussion, the Committee agreed to recommend that the budget be approved by the Commission pending receipt and review of these documents by the full Commission.

8. **NEW BUSINESS**

- (a) **Discussion and possible action to approve the Department of Elections' Budget for Fiscal Year 2008-2009.** Commissioner Meek asked that two items be added to the budget: \$10,000 for a Commission office. Director Arntz agreed and said he could add it to the budget and asked the Commission to support the addition by writing an explanation for the funds. Commissioner Meek said she would write a substantiation for the funding. Commissioner Matthews added that the Committee had been advised at the BOPEC meeting to provide a paragraph in the budget explaining the duties of the Commission Secretary to justify that salary. President Gleason asked if the entire Pollworker Division was staffed by people having temporary status. Director Arntz said that is true. President Gleason said that this is a problem and that should these workers leave, there would be no continuum of experience. Director Arntz said that the temporary staff status is a result of what the Board and Budget Analyst approved year ago, and the Department has been trying to change this since then. He asked the Commission to provide support for permanent staffing.

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Commissioner Meek SECONDED.

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A Roll Call Vote to approve this resolution was UNANIMOUS.

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The Roll Call Vote to approve the Elections Department Budget for FYI 2008-2009 was: Matthews – Yes; Townsend – Yes; Phair – Yes; Yu – Yes; Meek - No; and Gleason – Yes. Motion CARRIED 5 to 1.

(b) Discussion and possible action on communications to the Commission from the Public. (Commissioner Gleason)

President Gleason presented a copy of an email from a member of the public who complained that the format of the February 5, 2008 Presidential Primary Ballot was confusing because the ballot's formatting and design put more emphasis on the propositions. The complainant didn't realize he hadn't noticed and voted for the Presidential Candidate until his ballot had already been processed. President Gleason also presented sample ballots from previous elections along with a sample of the ballot in question and explained that he understood that the Department was making good use of the least amount of paper, but he understood why the member of the public was complaining. The Commissioner said that he witnessed voters with the same concern, not being able to locate the Presidential Candidates on the ballot, when he was at the polls on Election Day. He suggested that perhaps the pollworkers could point out where the candidates are if there's a ballot with this same configuration in the future.

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Commissioner Townsend said that he voted and thought the ballot wasn't a problem. He said that voters should look at the entire page. The Commissioner said he was concerned that one letter of complaint to the Commission was not necessarily something the Commission should take up as an issue. He said the complainant deserves a response from the Department not the Commission.

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Public Comment. *Alec Bash* said that although everyone in the meeting room could have figured out the ballot, many people were voting for the first time. He said the ballot design is very important and he hoped that professionals like the Ballot Simplification Committee could take a look at ballot designs and listed several states and situations where ballot design had caused problems in past elections. Mr. Bash suggested that if the narrow column with the candidates had been on the right hand side of the ballot, voters may not have missed it. *David Pilpel* suggested that it might be worth a special hearing to discuss ballot designs, layouts and styles. He referred to a recent *L. A. Times* story about a ballot design problem in that county. *Kevin Shiue* said that the recent election was the first time he worked as a pollworker and that he had witnessed several voters who had missed the candidates on the ballot. He suggested that because the Insight Voting Machines reject double and no votes, perhaps it could reject ballots that have blank responses for parts of the ballot, forcing the pollworker to manually input the ballot if it was the voters intend to leave a section vacant. Mr. Shiue asked if there was any user testing of a ballot design before it is finalized.

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(c) **Discussion and possible action to approve the Minutes of the January 16, 2008 Commission meeting.**

Commissioner Meek MOVED and Commissioner Yu SECONDED approval of the minutes.

The Roll Call Vote was UNANIMOUS to approve the minutes.

9. **Discussion regarding items for future agendas**

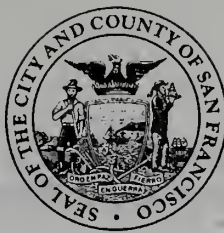
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Public Comment. *David Pilpel* asked if the Election Plan for the Special Election would be on the agenda for the next full Elections Commission meeting.

ADJOURNMENT at 7:54 pm

Budget that was approved at this meeting

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
Jennifer Meek, Vice President
Richard P. Matthews
Joseph B. Phair
Arnold Townsend
Winnie Yu

John Armtz
Director of Elections

Shirley Rodriques
Commission Secretary

Elections Commission Meeting
Wednesday, March 19, 2008
at 6:00 pm
City Hall Room 408

ORDER OF BUSINESS

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **ANNOUNCEMENTS**

5. **Public comment on any issue within the Elections Commission's general Jurisdiction**

6. **Director's Report**

• **Division Updates**

• Ballot Distribution	• Poll Locating/ADA
• Budget/Personnel	• Poll Worker Division
• Campaign Services	• Technology Division
• Outreach	• Voter Services
• Publications	•

7. **Commissioners' Reports**

- Meetings with public officials
- Oversight and Observation activities
- Meetings with nongovernmental organizations
- Long-range planning for Commission activities and areas of study

DOCUMENTS DEPT.

AUG - 8 2008

SAN FRANCISCO
PUBLIC LIBRARY

- (a) **Commissioner's reports and updates on observations and activities related to the April 8, 2008 Special Congressional Open Primary Election.**

8. OLD BUSINESS.

- (a) **Commissioner Matthews will continue his report of his observations and activities related to the conduct of the February 5, 2008 Presidential Primary Elections.**
- (b) **Discussion and possible action to evaluate the election plan for the February 5, 2008 Presidential Primary Election.**
- (c) **Discussion and possible action to approve the draft Annual Report. (Commissioner Meek)**
- (d) **Discussion regarding steering voters to use the DRE (Direct Recording Electronic) voting machine at each polling site.**

9. NEW BUSINESS

- (a) **Discussion and possible action to approve the Minutes of the March 19, 2008 Commission meeting.**
- (b) **Discussion and possible to approve the Election Plan for the June 3, 2008 Primary Election. (Director Arntz)**
- (c) **Discussion and possible action to create Commission policy, and/or recommend action to be taken by specific agencies or elections officers regarding the qualification for counting all provisional ballots cast at an election as a result of issues of voter registration status and notification of citizen's options to determine voter registration status. (Gleason)**

10. Discussion regarding items for future agendas

ADJOURNMENT

Elections Commission

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March 19, 2008

City and County of San Francisco

Elections Commission

Approved: May 7, 2008

Minutes of the Meeting held

City Hall, Room 408

March 19, 2008

DOCUMENTS DEPT.

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1. President Gleason called the meeting to order at 6:08 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Deputy City Attorney Ann O'Leary and Director John Arntz. **ABSENT:** Commissioner Arnold Townsend.
3. **Director's Report.**

Ballot Distribution: The Division is readying supplies for inspectors to deliver to polling sites for the April election. Early voting and test ballots are in house, inventoried and staged and staff preparing the ballots for the Health Service System election in May.

Budget and Personnel: The Mayor announced yesterday that City Departments should prep for a 16% cut in their budgets for the next fiscal year including an 8% of the cut in salaries. The Division has been invoicing vendor payments, working with the Sheriff's office and preparing parking for the April election.

Campaign Services: The phone bank will begin March 24th for the April Special Primary Election and election observer materials are being prepared. The nomination deadline for the June election has just ended. This Division has simultaneously prepared for two elections including reviewing paperwork, challenges to ballot designations, in-taking ballot arguments (which includes proofing for accuracy), and verifying signatures and organizations who are presenting the arguments. There are 153 candidates and 59 paid arguments for the June election. The Department is working with the Secretary of State's Office (SoS) to finalize the federal candidate information. Two initiative petitions have been received for the November election, and paperwork for 40 candidates has been received. There is a backlog of FPPC's (Fair Political

Practices Forms used to disclose campaign expenditures), from the past three months due to the recent elections which are now being scanned. In addition, the Division is completing plans to make the Department's front counter more accessible to the public.

Outreach: The Division's staff has emailed voters, whose addresses were available for District 12, information regarding the April election. Community organizations are being contacted regarding the June election and this Friday the staff will be meeting with representatives of Homeland Security regarding the scheduling of the naturalization ceremony that immediately precedes the 15 day close for the November election. This meeting will seek changing the schedule for the naturalization ceremony to enable the new citizens to vote like all citizens.

Publications: The Division's staff has completed the April Voter Information Pamphlet (VIP) ballots. The VIPs are being distributed to public libraries and other requesting sites. The June election materials are being prepared, and the formatting for those ballots is expected to be completed by the end of this week.

Poll Locating/ADA: The Division has located all the polling sites for the April Special Primary Election. These sites are on our website. Letters have been sent to potential site owners for the June election. Staff has been doing the tedious work with the Technology Division for a bar code tracking system for the City's voting equipment. In addition, staffing is coordinating delivery, setup and warehousing of the new voting equipment for April and June. The Division is reviewing the reports from the Field Election Deputies (FEDS) and other pollworkers to determine what issues arose from the last election regarding polling sites need to be addressed before the next election. As always, the staff is assuring that all locations are accessible to disabled voters, and checking for ways to make the sites comfortable in bad weather conditions.

Pollworker Division: Pollworkers from the February election have been assigned for the April election. Training classes will begin April 2nd. The curriculum for the training will incorporate responses from previous pollworkers who were asked how training could be improved. Ballots will be distributed to the inspectors in the City Hall cafeteria on April 2 and 3. There will be no formal training for the Clerks for this election, since they were trained less than two months ago for the February election, however they will all be sent training packets with a test to be returned to the Division for evaluation before they are assigned.

Regarding the June Election, 80% of pollworkers contacted have agreed to work that election. The manual for that election is being prepared and will incorporate feedback from the responses of previous pollworkers who were asked how training could be improved from the February election and training.

Technology Division: Staff is preparing data bases for the April election. They will evaluate the bases used for that election as they develop new ones for June. This Division is working on the tracking system I mentioned earlier for the Poll Locating Division's equipment.

Voter Services Division: Two petitions have been received and a third is expected. Four

thousand registration cards have been processed in the last two weeks. Early Voting will begin this coming Monday for the April election, and there will be weekend voting from 10am to 4 p.m. Registration cards have been sent to provisional voters who voted in the February election. 100,000 cards have been sent to permanent Vote By Mail Voters, who are non-partisan, informing them that they can vote Republican or Democratic in June. Since there are no American Independence nominees for June, state law requires that ballots for that party not be printed. Overseas absentee ballots have been mailed for April and shortly ballots will be sent for June.

Commissioner Matthews asked if the 16% cut in the budget that is mandated by the Mayor's Office puts the proposed managerial staff levels on the organizational chart in peril. Director Arntz said that it will make it more challenging, and explained that his office has done a lot of work already on upgrading 10 positions from "clerk" to management, which is more in keeping with all the responsibilities of the managers, over the past two years. He said that he has an agreement with the Department of Human Resources, and that the Mayor's Office agrees that the positions are not classified correctly. However, under the current circumstances, he doesn't know how the upgrades will be handled. Commissioner Matthews asked the Director to let the Commission know if there is anything it can do to help, because these positions are a very important budget priority.

Commissioner Meek asked for an update of the Sequoia Voting Systems preparations for the Ranked Choice Voting (RCV) for the November election. Director Arntz said that the plan has been submitted for certification, has been tested, and that the Elections Assistance Commission has issued a change in testing requirements and now requires a battery back up be incorporated in the voting machines. However, the state has not issued its opinion on this possible change yet.

Commissioner Phair asked if there is any change for the June election regarding the touch screen voting equipment. Director Arntz replied that there must be a 100% accounting of the verified paper audit trail, but this will not be new, therefore nothing has changed.

Commissioner Phair asked if only one person votes on the touch screen machine at a polling site, will that person's vote be publicly displayed. Director Arntz responded that, in a sense, the answer is "yes." Mr. Arntz said that the only thing to remedy this situation would be to invite or steer voters to use the touch screens more often, and this is possible. Commissioner Phair asked if the pollworkers would be instructed to invite voters to use the touch screens machine. The Director said that as we have more elections he will see how use of these machines is going, and if necessary, he could maximize the secrecy of the vote if this continues to be an issue. He added that voters need to feel comfortable using these machines.

Deputy City Attorney O'Leary said that it is important that the Commission raises this issue, however it is not on the agenda. Although the question is in response to the Director's Report, more conversation on the subject seems to be occurring, it may be more appropriate for an agenda item in the future. She recalled that at one meeting Commissioner Gleason discouraged steering voters to use the DRE's (touch screens), and since there may be a difference of opinion among Commissioners, this discussion be calendared later.

Carol Bella said that she worked at precinct 2101 in the Richmond District during the last two elections as an inspector. Her experiences have increased her respect for the Elections Department “a hundred fold!” She said she was amazed at how well elections in San Francisco are run. For the FEDs (Field Election Deputies) and Inspectors she spoke to at other precincts and her own experiences, the February election was a rough one – three times more people voted than in last November. Her other comments included: the owner of the poll site was not reachable when she wanted to set up early a day or two prior, two pollworkers showed up late, two workers had poor English skills and appeared to not have learned much from the training, the manual and job cards were easier to follow during the November election – maybe because the equipment for February was new, the power point presentation (in the training) wasn’t the best way to explain what happens and that having actual voting stations at training would work better – especially showing the opening and closing of the poll sites. Ms. Bella relayed some comments from Sacha Illmorini, an inspector, who was unable to attend this meeting: the job card appeared to be incomplete causing pollworkers to ask more questions of the inspector while the inspector is busy during the opening (making security checks, etc.). Finally, Ms. Bella suggested elevating the quality of pollworkers, and said she hoped that the new bill to offer citizens a pass on jury duty if they served during election day may go a long way toward that goal. She said the Department should also appeal to the San Francisco Business Community for workers to volunteer to work on election day.

Commissioner Meek agreed with this last suggestion and explained that the company at which she works has a “Community Partnership Day” for which employees are encouraged to participate and they are not charged as having taken a day off from work.

Kevin Shae said that his first experience as an election day worker was the February election when he was an inspector at precinct 2444, but his pollworkers had worked previous elections and were a great help to him. The day before the election, he met with the owner of the polling site. The first time he saw an actual voting booth was at 6 am on Election Day. He found that he needed assistance with the seal for the Insight because it didn’t match the number on the security form. After several inquiries he was walked through the process by someone in the Election Center, however the poll had to open fifteen minutes late, to waiting voters. The declined-to-state voters were disappointed that they couldn’t vote, and Mr. Shae didn’t recall information regarding this situation in the training he was given. As a new Inspector, Mr. Shae found the large bag of all the materials and the large packet of the forms and papers difficult to lay out at the polling site. He spent almost an hour before opening and an hour after closing going through the security procedures form, locating the seals, and checking off what he needed to do.

Commissioner Matthews recognized Nataliya Kuzina, Manager of the Poll Worker Division, who was present in the audience, and thanked her for the division’s training of the pollworkers, Inspectors and FEDs who work the City’s elections and for implementing the High School workers program. President Gleason echoed the Commissioners’ praise of Ms. Kuzina and her division and had special praise for the Pollworker’s Newsletter.

(b) **Discussion and possible action to approve the Minutes of the February 20, 2008**

Commission meeting. Commissioner Matthews MOVED and Commissioner Meek SECONDED approval of these minutes. President Gleason asked that the budget that was presented at the February 20 meeting be added to the posting on the website. The Roll Call Vote was UNANIMOUS.

(c) **Discussion and possible to approve the Election Plan for the April 8, 2008 Special Congressional Open Primary Election.** Commissioner Matthews MOVED and Commissioner Meek SECONDED approval of the Election Plan. The Roll Call Vote was UNANIMOUS.

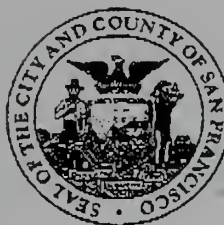
(d) **Discussion and possible action to approve a waiver to allow City Employees to Assist the Department of Elections with the April 8, 2008 Special Congressional Open Primary Election.** Commissioner Matthews MOVED and Commissioner Meek SECONDED approval of the Waiver. The Roll Call Vote was UNANIMOUS.

J. **Discussion regarding items for future agendas**

Commissioner Meek suggested the Elections Commission's Calendar be on the agenda for the next meeting, including approval of Election Plan effectiveness, for the February 2008 election (including the recommendations heard today), and a decision of whether the April Election shall have oversight assignments for Commissioners.

ADJOURNMENT at 7:33 pm.

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
 Jennifer Meek, Vice President
 Richard P. Matthews
 Joseph B. Phair
 Arnold Townsend
 Winnie Yu

John Arntz
 Director of Elections

Shirley Rodriques
 Commission Secretary

Elections Commission Meeting
Wednesday, April 16, 2008
at 6:00 pm
City Hall Room 408

ORDER OF BUSINESS

04-10-08P02:57 80V1

1. **CALL TO ORDER**

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2. **ROLL CALL**

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3. **FLAG SALUTE**

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4. **ANNOUNCEMENTS**

5. **Public comment on any issue within the Elections Commission's general Jurisdiction**

6. **Director's Report**

• **Division Updates**

• Ballot Distribution	• Poll Locating/ADA
• Budget/Personnel	• Poll Worker Division
• Campaign Services	• Technology Division
• Outreach	• Voter Services
• Publications	•

• **April 8 Special Congressional Open Primary Election Report.**

7. **Commissioners' Reports**

- Meetings with public officials
- Oversight and Observation activities
- Meetings with nongovernmental organizations
- Long-range planning for Commission activities and areas of study

- (a) **Commissioners' reports and updates regarding observations and activities related to the conduct of the April 8, 2008 Congressional Open Primary Election.**

8. OLD BUSINESS.

- (a) **Commissioner Matthews will continue his report of his observations and activities related to the conduct of the February 5, 2008 Presidential Primary Elections.**
- (b) **Discussion and possible action to approve the draft Annual Report.**
(Commissioner Meek)

9. NEW BUSINESS

- (a) **Discussion and possible action to evaluate the effectiveness of the Election Plan for the February 5, 2008 Presidential Primary Election.**
- (b) **Discussion and possible action to modify the format of future Election Plans.** (Meek and Gleason)
- (c) **Discussion and possible action to approve the Elections Commission Operations Calendar.** (Gleason)
- (d) **Discussion regarding steering voters to use the DRE (Direct Recording Electronic) voting machines at polling sites.** (From the 03/19 meeting)
- (e) **Discussion and possible action to approve the Election Plan for the June 3, 2008 Consolidated Primary Election.**
- (f) **Discussion and possible action to approve the Minutes of the March 19, 2008 Commission meeting.**
- (g) **Discussion and possible action** to investigate, adopt a policy, and/or recommend action regarding how the City provides information to voters to determine their registration status when those voters have cast provisional ballots because the Department has no record that they are registered, or voter disputes political party registration as appears in Department voter registration data. (Gleason)
- (h) **Discussion and possible action** to request the President write a letter to two recommended government and non-governmental election observer groups from Mexico, welcoming them to observe the June 3, 2008 Consolidated Primary Election in San Francisco.
- (i) **Discussion and possible action** regarding final certification status of existing voting equipment for RCV elections. (Gleason)

10. Discussion regarding items for future agendas

ADJOURNMENT

NOTE: This link is to the Statement of Vote for February 2008 Consolidated Primary Election:
<http://www.sfgov.org/site/uploadedfiles/elections/ElectionsArchives/2008/february/SOV080205.pdf>

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4386 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

Elections Commission

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April 16, 2008

City and County of San Francisco

Elections Commission

Approved May 7, 2008

Minutes of the Meeting held

City Hall, Room 408

April 16, 2008

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1. Vice President Meek called the meeting to order at 6:02 p.m.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Deputy City Attorney Andrew Shen, and Director John Arntz. **ABSENT:** President Gleason called that he was held up in traffic on MUNI and will arrive shortly, arrived at 6:06 pm; Commissioner Arnold Townsend was absent for roll call, but arrived at 6:10 p.m.
3. **Public Comment.** *Brent Turner* presented Director Arntz with information on an open source code ballot printing system. He said that with this system, there is never an errant mark on a ballot or a ballot shortage issue. He asked for an update regarding the Open Source Task Force that the Director mentioned last year.

President Gerard Gleason arrived, took the gavel and called for the next item.

4. **Director's Report.**

Ballot Distribution: The Division is preparing for the Health Services Election which will be occurring at the same time the Department will be counting the ballots for the June Election.

Additionally, the Division is acquiring space for receiving precinct ballots and pollworker class materials.

Budget and Personnel: The Division has been in communications with the Mayor and Controller's office regarding the 2008-2009 Budget. Materials and Supplies, as well as Staffing must be cut 8.5% for the next year.

Campaign Services: The Division is making preparations for: the June Election phone

bank, the elections observer panel information for the Civil Grand Jury, The League of Women Voters, various political parties and media. FPPC (Fair Political Practices Commission) forms are being filed, and the open house will be May 21, 2008.

Outreach: The Division is implementing a newsletter at the end of this month. Staff is preparing presentations to community groups, attending tabling events, and updating language in outreach posters and brochures.

Publications: The Division is readying the Voter Guide for the printer, and it should be on line within the next week, along with the polling place locator and the June Ballot. Staff will soon be proofing the Cantonese language modules for the Edge Voting Equipment.

Poll Locating/ADA: The Division is seeking two more polling sites for June, all others have been secured. But between now and June it is likely that some of the ones currently secured may withdraw and new ones will need to be established in their place.

Pollworker: Classes for clerks begin May 2nd. Approximately 65% of the pollworkers needed for June have been recruited, and the manual is being updated.

Technology: The Division is cleaning up the data base from the April election and is transitioning to the June election data bases.

Voter Services: The Overseas ballots for the June Election (there are 3400) are being mailed, staff is updating the voter history records with the information from the April Election, and performing voter file maintenance. The Early Voter Counter at City Hall will open Monday, May 5, 2008.

Vice President Meek asked the Director if the 8 percent budget cut was going to effect the already shortened hours of the Commission Secretary. Direct Arntz replied that nothing is final regarding staffing. He suggested that the Commission contact the Mayor's Office now regarding its request to not cut those hours further.

April 8 Special Congressional Open Primary Election Report: There was a 25% voter turnout – 18% of that number voted by mail. The DoE sent out 30,000 vote-by-mail ballots and 14,400 were voted and returned (7% were turned in at the polls). Approximately 5,300 voters voted at the polls. The total of registered voters who were eligible to vote was 79,000. The provisional ballots totaled 167,131 were accepted and 36 were challenged.

Because this was a relatively small election, issues were handled quickly and the election ran smoothly.

Vice President Meek congratulated the Director and the Department on the success of the April Election.

5. **Commissioners' Reports.** Commissioner Townsend reported that he met with two members of the Civil Grand Jury who are looking into moving the DoE out of its space at City Hall. Part of the Department's space is wanted for a new program for Identification Cards for immigrants. The move would split the DoE into two parts. Commissioner Townsend told the Civil Grand Jury members that he feels that Elections should be at City Hall, because this is what people/voters expect. He said that in any City or town, if a voter wants information about elections, she or he would go to City Hall to get that information. Commissioner Townsend said that putting the DoE at Pier 48 would not be desirable due to public transportation, knowledge of where to find it, and other problems like accessibility for the disabled who are taking MUNI. He said that The Civil Grand Jury might contact other Commissioners to get their opinions on this topic.

President Gleason said that the Assembly Bill to give pollworkers an exemption from Jury Duty, which he strongly supported, failed by a vote of 3 to 4. He said that he hopes it will be revisited.

5. **Commissioners' reports and updates regarding observations and activities related to the conduct of the April 8, 2008 Congressional Open Primary Election.** Because there were no formal assignments of Commissioners for the election, President Gleason asked if any Commissioner wanted to present an informal observation.

President Gleason reported that he worked as a Precinct Inspector again this election and that with the short period between the new voting equipment coming on line and the February election, the staff didn't have much time to train the inspectors, in a hands-on manner, about the new equipment. During the April election, Inspector Gleason had a problem with the card activator in the Edge voting machine. He called the Election Center and was told exactly what to do to resolve the problem and was walked through it very quickly. The Pollworkers were well trained and the voters were well served on the precinct level during the April Election.

Public Comment. *Brent Turner* said that he witnessed the election on behalf of a candidate. He said he wanted to note that he was barred from oversight, due to the closed nature of the voting system. He spoke about the "possible" presence of a wireless device that should be noted if it "does exist".

6. **OLD BUSINESS.**

(a) **Commissioner Matthews will continue his report of his observations and activities related to the conduct of the February 5, 2008 Presidential Primary Elections.** Commissioner Matthews requested this item be held over one more meeting because he still needs additional information to make his presentation. He said that essentially, the DRE (Direct Recording Electronic) machines worked well, there were no discrepancies between the hand tally shown on the VVPAT (paper audit trail) and the information on the chip – this is great news. He will have visual aids to explain the process more fully at the next meeting. This Item was CARRIED OVER.

(b) **Discussion and possible action to approve the draft Annual Report.**

Commissioner Meek presented the latest draft of the Annual Report and asked members to suggest any additions or changes. Commissioner Matthews MOVED and Commissioner Yu SECONDED approval of the Annual Report for 2007.

Public Comment. *Brent Turner* said that regarding Commissioner Matthews' comments that there was a reconciliation between the VVPAT and the voter verified paper audit trail, he felt they were not true and not conclusive, and that it was not an appropriate reconciliation.

A Roll Call Vote was UNANIMOUS to approve the Annual Report.

7. NEW BUSINESS

President Gleason asked to change the order of the Agenda, and called Item E because he said it related to items that would be discussed later.

(e) **Discussion and possible action to approve the Election Plan for the June 3, 2008 Statewide Direct Primary Election.** Director Arntz reported that he was not able to present the Election Plan for the June 3, 2008, Statewide Director Primary Election at this meeting. President Gleason acknowledged that this year is a busy one with four back-to-back elections to accomplish, however, it is the Commission's responsibility to approve a plan well before an election. The next Commission meeting is May 21, and that date is inappropriate for approval of the June Election Plan. President Gleason proposed that the Commission have a Special Meeting on Wednesday, May 7, 2008 where the only item for the agenda will be the approval of the Election Plan for the June 3 Primary Election.

Commissioner Townsend MOVED and Commissioner Meek SECONDED this motion. Commissioner Meek requested that the plan be available to the members at least one week prior to the meeting, no later than April 30.

(a) **Discussion and possible action to evaluate the effectiveness of the Election Plan for the February 5, 2008 Presidential Primary Election.**

Commissioner Meek MOVED that the Commission find that the Department of Elections conducted the February 5, 2008 Election effectively and in accordance with the approved Election Plan.

President Gleason said that he observed at Election Central that many calls from the precincts were because workers were not familiar with the new equipment.

Public Comment. *Brent Turner* said that because there is a high amount of vote-by-mail ballots, that coercion and/or intimidation of voters cannot be observed, and should be noted if the DoE is moving towards more of these types of ballots.

The Roll Call Vote was UNANIMOUS to approve a Special Meeting on

May 7, 2008.

(b) **Discussion and possible action to modify the format of future**

Election Plans. (Meek and Gleason) Commissioner Meek explained that this item is carried over from last year and has not been completed. She said the current format is cumbersome and not particularly useable by the DoE. She suggested assigning it to the Budget and Oversight of Public Elections Committee (BOPEC) or to one or two Commissioners with a completion date for this year. Commissioner Gleason reminded the Commission that BOPEC did accomplish some streamlining of the plan, particularly the front end. He said that much of the plan is static – a series of date changes, and he'd like to consider making the Plan permanent with "E-Minus" dates for the election. The Plan is mentioned in the Charter as having to be approved by the Elections Commission. Commissioner Gleason reminded the members that the SoS (Secretary of State) gave the City directions last November about procedures for producing remakes (110,000 hand duplicated remake ballots). He said that if the Commission makes the Plan permanent, the SoS would have to come before the Commission or present to the Commission such changes.

Commissioner Meek said that the Plan should be "a living document" and to be effective and useful, it should never be permanent. She said that the Commission may not have the authority to tell the SoS that they must come to us to implement changes.

President Gleason said that, at the direction of the SoS, the DoE has to handwrite the ballot tallies from the DRE machines in order to post them at the polling sites. We are already doing things to work around these restrictions and this is an example of an instance where the Charter takes precedence. The SoS cannot say that the DoE can't handwrite the tallies and post them at the sites – it's in the San Francisco Charter that this is done.

Commissioner Meek asked the Deputy City Attorney if the SoS trumps the City. Deputy City Attorney Shen replied that it is more complicated in San Francisco because we are a Charter City, and under the State Constitution, purely municipal affairs are under the control of the Charter City. He said that he would advise the Commission to work, as much as possible, in cooperation with the SoS.

President Gleason said that he was concerned about the 110,000 remakes because that decision was not publicly vetted.

Commissioner Phair asked the Director if it would be beneficial to him if the Election Plan format were changed. Director Arntz said that the Plan is information that the Commission feels it needs to be knowledgeable about the election, and he does not know what changes should be made.

Commissioner Matthews called the Commission's attention to the materials presented by Mr. David Pipel on January 2, 2008 with suggestions for simplifying the Plan. The Commissioner said he has reviewed it twice and understands Mr. Pipel's point and added that Mr. Pipel is one of the consumers of the Election Plan.

Commissioner Townsend asked if there have been complaints from the public about the Plan being unwieldy and does the Commission need to fix something that is not broken.

Commissioner Phair asked the Director if there are changes in the Plan that he would like to see. Director Arntz replied that much of the Plan is repetitive of things that the DoE already does and is busy-work for the Department to put together "for the most part". He said that what should be viable in the Election Plan is whether there is any change in the process from election to election. The Director said that it takes him one to 1½ weeks to put the Election Plan together. The Director reminded the members that there is a calendar of required events preceding each election on the Department's website already and that these are therefore readily available to the public and Commission.

Commissioner Phair asked the Director how the Plan might be simplified to be more useful and not a burden for the Department to produce. Director Arntz requested that no changes be made for the June election because of time constraints on the Department to prepare for its third election this year. He will proceed with the Plan as he has in the past to get past that election. He suggested that some sections and dates might be cross-referenced with the website or changed for future elections. Director Arntz said that he feels that "a lot of the Plan can be just static as an addendum, that what's changed or different" could be included, and the Election Plan could then be just a couple of pages.

Commissioner Meek offered to work further on the Election Plan, taking in the comments from this evening's meeting and present it to the Commission for a decision to accept it or forward it to the BOPEC.

(c) **Discussion and possible action to approve the Elections Commission Operation Calendar.** (Gleason)

Commissioner Meek suggested that a date when the Commission needs documents for its review be added to the Calendar so the Department can plan to provide requests in advance, and that the personnel reviews for the Secretary and Director be incorporated into the Calendar. Commissioner Matthews asked that the Calendar include materials that the Commission always requests after each election, for example, the IRIS Report and Provisional Ballot report. President Gleason said that he proposes to re-work the calendar to include suggestions from this meeting and present the revised version at the May 21, 2008, Commission meeting and invited further suggestions be forwarded to him in the meantime.

(d) **Discussion regarding steering voters to use the DRE (Direct Recording Electronic) voting machines at polling sites.** (From the 03/19/08 meeting) President Gleason apologized for the wording in this item and suggested that "assisting in the randomization of" should be used instead of "steering".

Commissioner Townsend said that voters should be made "aware" of the machines but we must take care in how that is done.

Commissioner Matthews said that the SoS's policy was clear and was to "steer" four voters if one voter used the DRE, and that he agrees with Commissioner Townsend.

Commissioner Meek suggested that the Commission take action and have on its next agenda a proposal to send a letter to the Secretary of State.

President Gleason pointed out that this is a situation where there is a stipulation in the City's Charter which conflicts with state requirements, and he will place this on the agenda for the next Commission meeting.

Director Arntz explained that the conditions for the use of the equipment "mirror the Charter on this matter so the SoS's conditions for the use of the DRE requires a handwritten posting of the results. Whereas, The Charter requires...a machine record of the results".

President Gleason agreed, but added that it causes the action for the single vote (if there is only one person who used the DRE at a given precinct) to be publicly displayed, which is in conflict with the voter's privacy rights.

Director Arntz suggested a solution which would involve posting the number of people who voted on the DRE. There will be a record of the result at the Department, therefore no breach of confidentiality at each polling site.

Commissioner Phair said that this would be a good alternative.

President Gleason agreed to put this item on the May 21, 2008 agenda as a discussion and possible action item.

- (f) **Discussion and possible action to approve the Minutes of the March 19, 2008 Commission meeting.** Commissioner Matthews MOVED to approve and Commissioner Meek SECONDED.

Public Comment. *Brent Turner* voiced his concern that sometimes the public comment sections in the minutes appear to be truncated. He said that he wants to be sure that the comments are properly reflected in the minutes.

The Roll Call Vote was UNANIMOUS to approve the minutes.

- (g) **Discussion and possible action** to investigate, adopt a policy, and/or recommend action regarding how the City provides information to voters to determine their registration status when those voters have cast provisional ballots because the Department has no record that they are registered, or voter disputes political party registration as appears in Department voter registration data. (Gleason)

President Gleason called the members attention to the tally report of provisional ballots from last February's election and displayed a provisional ballot envelope from that election. In the February election, 3,169 voters using provisional ballots were not on the voter rolls, not in the data bases of the DoE. He said that many voters think they are registered to vote because they registered at the DMV (Department of Motor Vehicles) and/or they reported their change of address to the DMV and thought this change would be reported to the SoS. A check with the DMV showed that the department only handles voters who change their addresses within the same county, they do not notify the SoS regarding intra-county changes of address of voters. The President said he has been in communication with the Berkeley Elections Research Center and was advised that the problem is statewide.

Commissioner Meek calculated that the numbers are 16% of the provisional ballot voters.

President Gleason reported that many voters he experienced when he worked as an inspector for the February election said they were certain that they were not registered in the party that appeared beside their names on the precinct roster. Again, they are given a provisional ballot, the total in the report was 2,681 voters for wrong party designation. He said that the Provisional Ballot is meant to be a protective measure/fail-safe method for voters, but is not protective or fail-safe enough. If a voter is told that he or she is not registered, what is that voter's option? President Gleason asked the Deputy City Attorney to look into the California Elections Code and explain to the Commission whether voters, as the last absolute option, can go to a judge to have their vote counted and are we informing them of this. Further, if voters are certain that they registered for one party but the roster shows they are registered for another, they should go to the DoE and ask to see their original registration form.

President Gleason proposed that on the back of the Provisional Ballots, voters be notified that they can see a judge and the court department, and phone number be printed.

Deputy City Attorney Shen said that he would not encourage the Commission to suggest that the Elections Department include anything on the ballot to encourage people to file suit against the Department or any other department or City official.

Commissioner Townsend asked how the number of provisional ballots cast in San Francisco compared to other cities.

Commissioner Matthews replied that he is saddened that 3100 people who think that they have, in good faith, done what citizens need to do to register to vote and who actually show up to vote, don't get their votes counted. Even if no other county has such voters, it's worth looking into for the Commission. He said that he doesn't feel that the source of the problem is the Department. However, in his opinion, the

Charter Section 2142 doesn't have any application in this area. Because state agencies are involved (DMV and the SoS), a state investigation is called for.

Commissioner Phair said that after reviewing the Provisional Ballot Envelope that President Gleason passed around, he observed that there is a reference to the court on the envelope. But what is not on the envelope is something saying that the voter has the option to review their original registration form at the Department of Elections.

Commissioner Matthews MOVED that the Commission President be authorized to write letters and have any other kind of communication with state agents who are involved in registering voters in California to address this issue. Commissioner Phair SECONDED.

President Gleason said he would draft a letter and bring it to the full Commission at the May 21, 2008 meeting. Commissioner Matthews offered to help with the draft and possible attachments to the letter(s).

The Roll Call Vote was UNANIMOUS.

- (h) **Discussion and possible action** to request the President write a letter to two recommended government and non-governmental election observer groups from Mexico, welcoming them to observe the June 3, 2008 Consolidated Primary Election in San Francisco.

Commissioner Matthews MOVED and Commissioner Yu SECONDED this item.

President Gleason recalled the visit he and Commissioner Matthews made last year to observe elections in Baja, and said that he has received requests from Mexico for members to observe our election in June. He said that a formal letter is required for their visit. President Gleason assured the Commission that the City and County of San Francisco would not be incurring any expenses or hosting any function, other than the election if the Commission agrees to send this letter.

The Roll Call Vote was: Gleason-yes, Matthews-yes; Townsend-yes; Yu-yes; Meek-yes; Phair-no. The motion CARRIED to write this letter.

- (i) **Discussion and possible action** regarding final certification status of existing voting equipment for Ranked Choice Voting (RCV) elections. (Gleason)

Director Arntz reported that Sequoia has completed its testing of the 4.0 version (RCV voting) portion of its equipment and the Elections Assistance Commission has required that all voting systems contain battery backup before certification. Sequoia is adding this new requirement and expects to be completed by the end of July. There is uncertainty regarding when the state will be able to provide final approval and when state certification will be completed.

Public Comment. *Brent Turner* said that, unlike the Director, he feels that this delay is cause for panic.

10. Discussion regarding items for future agendas.

Commissioner Meek suggested that the assessment of elections be a future agenda item. Commissioner Townsend said that too many topics are handled by BOPEC and he would prefer topics be generated by the full Commission and then be referred to committee. Commissioner Matthews asked Commissioner Townsend for examples, but Commissioner Townsend declined to offer any. Commissioner Phair asked the Deputy City Attorney if anyone can attend and comments at a BOPEC meeting. Deputy City Attorney Shen said he thought that Commissioners could attend as citizens but not as Commissioners. Commissioner Meek said that she had been advised not to do this because her presence would constitute a quorum. Commissioner Townsend agreed and added that this had been the advice of former Deputy City Attorneys and asked Mr. Shen to check and advise the Commissioners if this is still true. Deputy City Attorney Shen replied that he would do so.

ADJOURNMENT @ 8:26 p.m.

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
Jennifer Meek, Vice President
Richard P. Matthews
Joseph B. Phair
Arnold Townsend
Winnie Yu

John Amtz
Director of Elections

Shirley Rodrigues
Commission Secretary

SPECIAL MEETING

Elections Commission Meeting

Wednesday, May 7, 2008

at

6:00 pm

City Hall Room 421

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **ANNOUNCEMENTS**
5. **Public comment on any issue within the Elections Commission's general jurisdiction.**
6. **Discussion and possible action to approve the Election Plan for the June 3, 2008, Consolidated Primary Election.**

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ADJOURNMENT

Disability Access

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SPECIAL MEETING

Elections Commission Meeting

Wednesday, May 7, 2008

**at
6:00 pm**

City Hall Room 421

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **ANNOUNCEMENTS**
5. **Public comment on any issue within the Elections Commission's general jurisdiction.**
6. **Discussion and possible action to approve the Election Plan for the June 3, 2008, Consolidated Primary Election.**
7. **Discussion and possible action to submit a request to the Board of Supervisors for a waiver allowing certain City employees or officers to work on the June 3, 2008 Consolidated Statewide Direct Primary Election.**

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SPECIAL MEETING

Elections Commission Meeting

Wednesday, May 7, 2008
6:00 pm
City Hall Room 421

ORDER OF BUSINESS

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **ANNOUNCEMENTS**
5. **Public comment on any issue within the Elections Commission's general jurisdiction.**
6. **Discussion and possible action to approve the Minutes of the Wednesday April 16, 2008 Commission meeting.**
7. **Discussion and possible action to approve the Election Plan for the June 3, 2008, Consolidated Primary Election.**
8. **Discussion and possible action to submit a request to the Board of Supervisors for a waiver allowing certain City employees or officers to work on the June 3, 2008 Consolidated Statewide Direct Primary Election.**
9. **Discussion regarding items for future agendas.**

ADJOURNMENT

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Elections Commission

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May 7, 2008 Special Meeting

City and County of San Francisco

Elections Commission

Approved: June 18, 2008

Minutes of the Meeting held

City Hall, Room 421

May 7, 2008

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1. President Gleason called the meeting to order at 6:06 pm.
2. **Commission members present:** Commissioners Richard P. Matthews, Jennifer Meek, Joseph B. Phair, Commissioner Arnold Townsend (arrived at 6:11 pm), Deputy City Attorney Jon Givner. **Excused:** Commissioner Winnie Yu.
3. **Discussion and possible action to approve the Minutes of the Wednesday, April 16, 2008 Commission meeting.** Commissioner Matthews MOVED and Commissioner Phair SECONDED this item. Commissioner Phair presented minor typing corrections and a correction of his vote on 9(h), and Commissioner Matthews requested that his comment regarding Commissioner Townsend's remark that the BOPEC handles too many of the topics that should be generated by the full Commission be included. Secretary Rodriques agreed to make these changes. Commissioner Meek MOVED and Commissioner Matthews SECONDED the changes in the minutes. The vote to allow the changes was UNANIMOUS. The Roll Call Vote to approve the Minutes was UNANIMOUS.
4. **Discussion and possible action to approve the Election Plan for the June 3, 2008, Consolidated Primary Election.** Commissioner Matthews MOVED and Commissioner Meek SECONDED this item. Commissioner Gleason presented his suggestions for changes in the Plan, and said he was particularly concerned that the Plan contain a disclosure of ballot tracking and vote counting. The proposed changes to the June Plan are in the addendum to these minutes. These changes will be made by the Commission Secretary and reviewed by the Director. Commissioner Meek highlighted areas in the Plan that she thinks are redundant and President Gleason agreed. Commissioner Meek questioned whether the Commission was overstepping its policy-making and getting involved in procedural matters when requesting information in the Election Plan. She said that a plan should cover a broad overview of how things operate on Election Day, not procedural

elements. She suggested that there could be another document to explain the process, but that it should not be the Election Plan. Commissioners Gleason and Meek agreed that after the June Election, the template for the Election Plan should be reworked. The roll call vote to approve the edits presented was UNANIMOUS. The roll call vote to accept the Election Plan was UNANIMOUS.

5. **Discussion and possible action to submit a request to the Board of Supervisors for a waiver allowing certain City employees of officers to work on the June 3 2008 Consolidated Statewide Direct Primary Election.** Commissioner Matthew MOVED and Commission Meek SECONDED the item. President Gleason said that the template for the waiver that was created several years ago is still viable. Commission Secretary Rodriques said that if the letter is approved at tonight's meeting, it will be forwarded to the Board of Supervisors tomorrow. The roll call vote was UNANIMOUS to approve the request for a waiver.

6. **Discussion regarding items for future agendas.** President Gleason passed out information to each member regarding voter registration concerns that he will place on the agenda for the full Commission meeting on May 21, 2008.

ADJOURNMENT at 6:30 pm.

Attachment:

Attached are the additions, with the changes as approved, that need to be added to page 14 of the election plan. The heading should be changed to appear as:

IX: Election Results -- (just the title, then as follows)

IX a) Election Tabulation and Results (new section attached to this e-mail)

IX b) Election Results Reporting (as appears now 1. Election Night, 2. Updates 3. RCV)

IX d) Post Election Canvas (Current 4. "Final Report and Certification of Election Results" is renumbered here and re-titled. Remove the "4." that now appears on the paragraph at the beginning of this section.

NOTE: The corrected Election Plan will be posted to the Department of Elections website.



ELECTIONS COMMISSION
City and County of San Francisco

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Jennifer Meek, Vice President
Richard P. Matthews
Joseph B. Phair
Arnold Townsend
Winnie Yu

John Arntz
Director of Elections

Shirley Rodriques
Commission Secretary

Elections Commission Meeting
Wednesday, May 21, 2008
At 6:00 pm
City Hall Room 408

Order of Business

1. Call to Order
2. Roll Call
3. Announcements
4. Public comment on any issue with the Elections Commission's general jurisdiction
5. Director's Report

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• Publications	•

6. Commissioner's Reports

- Meetings with public officials
- Oversight and Observation activities
- Long-range planning for Commission activities and areas of study

7. Old Business

a. Commissioner Matthews will continue his report of his observations and activities related to the conduct of the February 5, 2008 Presidential Primary Elections.

b. Discussion and possible action to approve the Elections Commission Operations Calendar. [Report from Commissioner Gleason]

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- c. Discussion regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites. (San Francisco Charter Section 13.107.5) [Report back from Director]

- d. Discussion and possible action to investigate, adopt a policy, and/or recommend action regarding how the City provides information to voters to determine their registration status when those voters have cast provisional ballots because the Department has no record that they are registered, or voter disputes political party registration as appears in Department voter registration data. Draft letter to Secretary of State regarding the issue to be discussed and possible action. [Gleason]

8. New Business

- e. Discussion and possible action to approve the Minutes of the May 7, 2008 Special Commission Meeting.
- f. Discussion and possible action to adopt a policy and/or recommend action regarding public access to source documents and information allowing individual voters to determine their voter registration status and pursue having provisional ballot counted. [Gleason]
- g. Discussion and possible action to determine areas of Commission interest and observation for the June 3, 2008 Consolidated Primary Election, and which Commissioners will make those observations, allowing for evaluation of the Election Plan.
- h. Discussion and possible action regarding line items related to the City's proposed budget for the Department and Commission, including staffing for Department and Commission.

9. Closed Session

Closed Session held pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance Section 67.10(d)

- a. Closed Session discussion and possible action regarding Commission-appointed personnel annual reviews.

- 10. Discussion and possible action regarding disclosure of Closed Session pursuant to Ralph Brown Act, section 54956.9, and Sunshine Ordinance, section 67.10(d).

Discussion regarding items for future agendas

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Elections Commission

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May 21, 2008 - CANCELLED

CANCELLED

Elections Commission Meeting

Wednesday, May 21, 2008

At 6:00 pm

City Hall Room 408

Order of Business

1. **Call to Order**

2. **Roll Call**

3. **Announcements**

4. **Public comment on any issue with the Elections Commission's general jurisdiction**

5. **Director's Report**

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6. Commissioner's Reports

- Meetings with public officials
- Oversight and Observation activities
- Long-range planning for Commission activities and areas of study

7. Old Business

- Commissioner Matthews will continue his report of his observations and activities related to the conduct of the February 5, 2008 Presidential Primary Elections.**
- Discussion and possible action to approve the Elections Commission Operations Calendar.** [Report from Commissioner Gleason]
- Discussion regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites.**(San Francisco Charter Section 13.107.5) [Report back from Director]
- Discussion and possible action to investigate, adopt a policy, and/or recommend action regarding how the City provides information to voters to determine their registration status when those voters have cast provisional ballots because the Department has no record that they are registered, or voter disputes political party registration as appears in Department voter registration data. Draft letter to Secretary of State regarding the issue to be discussed and possible action.**[Gleason]

8. New Business

e. Discussion and possible action to approve the Minutes of the May 7, 2008 Special Commission Meeting.

f. Discussion and possible action to adopt a policy and/or recommend action regarding public access to source documents and information allowing individual voters to determine their voter registration status and pursue having provisional ballot counted.
[Gleason]

g. Discussion and possible action to determine areas of Commission interest and observation for the June 3, 2008 Consolidated Primary Election, and which Commissioners will make those observations, allowing for evaluation of the Election Plan.

h. Discussion and possible action regarding line items related to the City's proposed budget for the Department and Commission, including staffing for Department and Commission.

9. Closed Session

Closed Session held pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance Section 67.10(d)

a. Closed Session discussion and possible action regarding Commission-appointed personnel annual reviews.

10. Discussion and possible action regarding disclosure of Closed Session pursuant to Ralph Brown Act, section 54956.9, and Sunshine Ordinance, section 67.10(d).

11. Discussion regarding items for future agendas

Adjournment

[Complete Commission Packet for this meeting](#)

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6142. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

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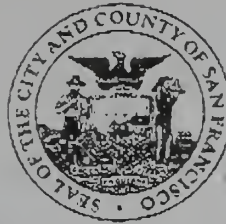
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ELECTIONS COMMISSION
City and County of San Francisco

Gerard Gleason, President
Jennifer Meek, Vice President
Richard P. Matthews
Joseph B. Phair
Arnold Townsend
Winnie Yu

John Arntz
Director of Elections

Shirley Rodriques
Commission Secretary

SPECIAL MEETING

Elections Commission Meeting
Tuesday, May 27, 2008
At 6:00 pm
City Hall Room 48
Conference Room

Order of Business

1. Call to Order
2. Roll Call
3. Announcements
4. Public comment on any issue with the Elections Commission's general jurisdiction
5. Director's Report: Preparations for and Status of June 3, 2008 Consolidated Primary Election.
6. New Business
 - a. Discussion and possible action to determine areas of Commission interest and observation for the June 3, 2008 Consolidated Primary Election, and which Commissioners will make those observations, allowing for evaluation of the Election Plan.
7. Discussion regarding items for future agendas

Adjournment

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Elections Commission

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May 27, 2008 Special Meeting

City and County of San Francisco

Elections Commission

Approved: June 18, 2008

Minutes of the Special Meeting held

City Hall, Room 48 Conference Room

May 27, 2008

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1. President Gleason called the meeting to order at 6:17 pm.
2. **Commission members present:** Commissioners Richard P. Matthews, Jennifer Meek, Joseph B. Phair, Gerard Gleason, Deputy City Attorney Andrew Shen, and Director John Arntz. EXCUSED: Commissioner Winnie Yu and Commissioner Arnold Townsend.
3. **Director's Report: Preparations for and Status of June 3, 2008 Consolidated Primary Election.** Director John Arntz reported that the San Francisco Elections Department is prepared for the election and has received 32,000 ballots from vote by mail voters.
4. **Discussion and possible action to determine areas of Commission interest and observation for the June 3, 2008 Consolidated Primary Election, and which Commissioners will make those observations, allowing for evaluation of the Election Plan.**

President Gerard Gleason agreed to observe polling precincts located in commercial establishments as time permits because he will be working as a pollworker, and reminded members that former Commissioner Victor Hwang had mentioned in the past that there are interactions in these establishments (i.e. Starbucks where customers should be able to sit and read a newspaper and have conversations among one another), which may be cause for concern regarding electioneering.

Commissioner Joseph Phair agreed to visit and review precincts in commercial establishments as well. Director Arntz advised the Commission that these are good locations because they are accessible to voters, and provide warm, clean restrooms for pollworkers. He added that he prefers not to have polling sites in businesses, but when there are no other places available, they are the only alternative. Director Arntz also advised the Commission that he has never received an

electioneering complaint relating to the use of a commercial establishment as a polling precinct.

Commissioner Gleason said that precinct 2513 had one hundred-plus provisional ballots in the February election. Director Arntz responded that this is often the case at college area precincts because students are encouraged to participate/vote by their professors.

Commissioner Jennifer Meek will review provisional ballot numbers, voter issues and compare these to last February's election. Commissioner Phair suggested using the numbers from one year ago, as well, for a good comparison.

Commissioner Richard Matthews will observe and report on the DRE ((Direct Recording Electronic) machine issues from the election.

Commissioner Matthews MOVED and Commission Meek SECONDED these election assignments. The Roll Call Vote was UNANIMOUS.

5. Discussion regarding items for future agendas

The Commission requested an update on Sequoia Voting Systems' RCV (Ranked Choice Voting) implementation for the upcoming November election. Items from the cancelled May 21, 2008 meeting should be calendared for the next full Elections Commission meeting.

ADJOURNMENT at 6:47 pm.

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
 Jennifer Meek, Vice President
 Richard P. Matthews
 Joseph B. Phair
 Arnold Townsend
 Winnie Yu

John Arntz
 Director of Elections

Shirley Rodriques
 Commission Secretary

Elections Commission Meeting
Wednesday, June 18, 2008
At 6:00 pm
City Hall Room 408

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Order of Business

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1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction
4. Director's Report of the June 3, 2008 Consolidated Primary Election

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5. Commissioners' Reports
 - Meetings with public officials
 - Oversight and Observation activities
 - Long-range planning for Commission activities and areas of study

Commissioners will report on their experiences and observations of the June 3, 2008 Consolidated Primary Election.

6. Old Business

- a. Commissioner Matthews will continue his report of his observations and activities related to the conduct of the February 5, 2008 Presidential Primary Election as well as the June 3, 2008 Statewide Primary Election.
- b. Discussion and possible action to approve the Elections Commission Operations Calendar. [Report from Commissioner

Gleason]

- c. Discussion regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites. (San Francisco Charter Section 13.107.5) [Report back from Director]
- d. Discussion and possible action to investigate, adopt a policy, and/or recommend action regarding how the City provides information to voters to determine their registration status when those voters have cast provisional ballots because the Department has no record that they are registered, or voter disputes political party registration as appears in Department voter registration data. Draft letter to Secretary of State regarding the issue to be discussed and possible action. [Gleason]

7. New Business

- a. Discussion and possible action to approve the Minutes of the May 7, 2008, and May 27, 2008 Special Commission Meetings.
- b. Discussion and possible action regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites and related procedures that occurred during June 3, 2008 Statewide Primary Elections in San Francisco (San Francisco Charter Section 13.107.5 and California Election Code Section 15281). [Gleason]
- c. Discussion and possible action to adopt a policy that preference is given to the use of paper ballots for voting in all public elections in San Francisco, that DRE machines are not regarded as preferable or even equally desirable except for voters who would prefer to use DRE for any reason, and that voters will not be "encouraged" to use DRE machines rather than paper ballots; and that the Department of Elections shall ensure that all employee and pollworker training includes material that reinforces this policy. [Matthews]
- d. Discussion and possible action to adopt a policy and/or recommend action regarding public access to source documents and information allowing individual voters to determine their voter registration status and pursue having provisional ballot counted. [Gleason]
- e. Discussion and possible action regarding line items related to the City's proposed budget for the Department and Commission, including staffing for Department and Commission.
- f. Discussion and possible action for the Commission (or members of the Commission) to request a meeting with the California Secretary of State regarding issues that impact elections in San Francisco County. [Gleason]

g. Discussion and possible action to set Commission meeting for First and Third Thursdays for the months of August, September, October and December 2008. [Gleason]

8. Closed Session

Closed Session held pursuant to Ralph Brown Act, section 54956.9 and Sunshine Ordinance Section 67.10(d); discussion and possible action regarding Commission-appointed personnel annual reviews.

9. Discussion and possible action regarding disclosure of Closed Session pursuant to Ralph Brown Act, section 54956.9, and Sunshine Ordinance, section 67.10(d).

10. Discussion regarding items for future agendas

Adjournment

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June 18, 2008

City and County of San Francisco **Elections Commission**

Approved: July 16, 2008

Minutes of the Meeting held

City Hall, Room 408

June 18, 2008

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1. President Gleason called the meeting to order at 6:03 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Arnold Townsend arrived at 6:10 pm, Deputy City Attorneys Jon Givner and Mollie Lee, and Director John Arntz.
3. **Announcements.** President Gleason announced that the City Treasurer has made an appointment to complete the term of former Commissioner Tajel Shah. The Commission welcomed Commissioner Rosabella Safont.

President Gleason disclosed that he communicated to the City Treasurer that the Commission had to cancel a meeting recently due to the lack of a quorum and that his appointment to the Commission would be greatly appreciated. He also announced that the some of tonight's agenda items would be combined or taken out of the order originally posted. He said there were many items on the agenda due to cancelled meetings and some were related and could be consolidated and handled together tonight. The order will be: 7a, 7c, 8b, 8c, 7d, 8d, 7b, 8g, 7a, 8e, and 8f.

4. **Public Comment.** *Tomas Picarello* said that he worked for the first time as a Poll Inspector in June 3, 2008 election, and more training for pollworkers and inspectors is needed. He said that 1 ½ hours isn't enough time to cover all the complexities involved, and although he possesses a law degree, he had trouble. Additionally, he said that in order to get competent and qualified workers, the Elections Department needs to raise the pay scale. Mr. Picarello said that during his instruction, he was told that the Secretary of State told the City that there had to be five people at each precinct using the Edge (touch screen)

machine, and he was unable to find authority in the Elections Code. Lastly, he said the City should prohibit City workers from working the elections because there is too much conflict of interest.

David Pilpel said that the language on the agenda for the proposed Close Session needed more detail regarding the names and titles of the individuals involved and he encouraged reducing the number of precincts for the November 2008 election to reduce costs.

Brent Turner said that there will be a demonstration of open source voting systems at "LinuxWorld", August 5th through August 7th at the Moscone Center.

5. Director's Report of the June 3, 2008 Consolidated Primary Election.

Director Arntz reported that overall, the election was well organized, in his opinion. All ballots and voter guides were mailed on time, 155,000 Permanent Absentee Ballots were sent out (90,000 were voted), and 82,000 voters showed up at the polls. The turnout is estimated to be 40%, although that count is not official yet. There were 5,500 provisional ballots (PVs) of which 630 were challenged (296 were voters not registered in the City) and 135 people failed to sign the provisional envelope. The Director reported that there were more equipment problems than in the previous two elections and that he felt much of it was due to fatigue – there had been three elections in three months, and people may not have been as careful delivering and picking up voting machines as they had been during previous times. The canvassing at Pier 48 continues and should be completed by next Friday.

Commissioner Phair asked the Director when did he get the requirement from the SoS (Secretary of State) about the five voters on each DRE (Direct Recording Equipment). Director Arntz said that it wasn't that the Department received notice of the requirement, it was due to the top to bottom review that the State conducted on most voting systems in the state. After that review, the state required all counties that use the Sequoia Voting System touch screen to ensure that five voters use it in each polling place.

Commissioner Phair reminded the Director and Commission that this had been discussed several elections ago and the determination was made that San Francisco was not going to do this, and there would be no training of personal to ensure that at least five voters used each machine. The Director responded that during the first election he didn't draw attention to the SoS's requirement because it was not his primary concern. This was the first election with this equipment, there was a very short turnaround between elections, extra manual audits for the absentee ballots, and the Department had only three weeks to get the system in place for the February election. Once the contract was approved after the November election was certified, the Department needed to prepare for the February election. The Director said that he wanted to stay away from the requirement but it is a condition on the system that the SoS, who has the authority to certify systems in California, placed on the system. Director Arntz said that he spoke with the SoS and tried to convince them that to encourage voters to use a piece of equipment or to require volunteers was not the best route to take for the touch

screen. But the state said it was a condition and the City has to follow it. The Director said that since there had already been two elections without the condition, he felt it was time to comply with the requirements for the certification of the system.

Commissioner Phair suggested that this requirement be placed in future Election Plans.

President Gleason asked the Director if there was any impact in recruiting pollworkers for November due to the new requirement to file a 1099 Federal Tax Report if the worker is receiving over \$600.00. The Director explained that it is a federal requirement that anyone earning a \$600.00 stipend within a calendar year receive a 1099 from the City and the income be reported on their taxes. President Gleason said that anyone getting a 1099 must also pay a City business tax of \$25.00 if that person is involved in an activity for six days with a given year. President Gleason asked if pollworkers, of which he is one, can check a box that would return their payment to the City, therefore preventing the worker from receiving the 1099. He said this added tax reporting will be a burden on the Department.

President Gleason said that pollworkers who will be impacted by this new tax requirement should be informed early in their training.

Public Comment. *Brent Turner* said that he was looking forward to seeing the number of equipment incidents from the June election. He said that the tapes that report the counts from the equipment are not proof that they are counting correctly. *Roger Donaldson* said that he worked as an inspector in the June election and that things went well considering all the ballot types involved. The equipment had problems with the tape at the end of the day and this surprised him because during the training, comments were made about how much better the new equipment was than the old ES&S equipment. Mr. Donaldson said that he had not experienced this problem when he worked with the old system and said that although the pollworker manual didn't have language regarding encouraging voters to use the DRE's, the training sessions did emphasize it. *Tomas Picarello* said that the DRE at his polling place also did not print the day end result tape.

6. **Commissioner Report of their experiences and observations of the June 3, 2008**

Consolidated Primary Election. Commissioner Phair's report on his observations of commercial locations used as polling places is in the attachment at the end of these minutes. Vice President Meek will give her report at a later meeting after the June Election has been certified. President Gleason reported that he worked as a pollworker and had 218 voters at his precinct, 10 provisional voters, and 35 absentee ballot drop offs. He complimented the DoE on the supplies it provides to the precincts and the equipment deliveries before and during the election. He said he was surprised to hear about recruiting five voters to randomize the voting at precincts when he went to his training the Saturday before election day. He said that the other pollworkers at his location had not heard about this recruitment. Vice President Meek asked Commissioner Phair about the comment on page 3, Precinct 2116, #4 of his report that read: "Inspector reported that numerous voter records errors that were identified by voters at last election and reported to DoE were not corrected".

Commissioner Meek asked Director Arntz if corrections marked on the sign in sheets at the polls were transferred to voter's records. Director Arntz replied that changes made on the rosters are made in the data base when the voting history is recorded after the election.

President Gleason asked the Director if the yellow pages at the back of the rosters were for recording corrections. The Director replied that this was also correct and that corrections are made from both places.

Public Comment. *Tomas Picarello* said that the 40% turnout was very low, and asked if there was data about numbers of voters who vote in commercial establishments.

Commissioner Townsend said that there is a difference between discussion in a public place and electioneering.

Commissioner Safont shared that she votes at a Starbucks on Portola, and originally had concern especially because it is crowded in the morning, however she has never observed a problem.

- 7a. **Commissioner Matthews will continue his report of his observations and activities related to the conduct of the February 5, 2008 Presidential Primary Election as well as the June 3, 2008 Statewide Primary Election.** Commissioner Matthews' informative powerpoint presentation regarding DRE usage in the February and June elections is summarized in a print out attached to these minutes. The Commissioner reported that during the June election he observed inspectors and pollworkers encouraging voters to use the DRE equipment without mentioning the availability of paper ballots. He discovered that these staff were instructed at pollworker training to "push" the DRE equipment (the Commissioner said he spoke to over thirty staffers at the polls on election night). This training differed from the written script in the Pollworker Manual and differed from the prior agreed upon policy between the Commission and the Director.

During his presentation, Commissioner Matthews asked the Director if the instruction to the pollworkers had been: if there were one user of the DRE at a polling sight, then four more users needed to be sought. The Director said this was correct.

The Commissioner said that half the users of the DREs came from just fourteen precincts. And that there were real added costs involved in greater DRE usage. In February, it took four teams three days to check the votes, and in June, because of the greater numbers of DRE users, there were six teams working more than 7 days, although June had only 63% of the voters who voted in February.

Commissioner Matthews asked Director Arntz about the discrepancies in the Pollworker Manual and the verbal instructions at the training. Director Arntz replied that he, himself, did not experience these discrepancies and that he felt it was only a small sample of pollworkers

who did. After President Gleason informed the Director of his experience as a training pollworker, the Director said he encouraged the trainers to follow the script and he thought they were doing so. The Director said he wants the pollworkers to provide the choice of both paper and the touch screen, and if there were less than five users of the touch screen by the end of the day, the FEDs were to go to the polling sites and help the pollworkers find the balance of the five voters requested in the SoS's directive. The Director said that the message to the voters about the use of the touch screen voting equipment can be fine tuned.

Commissioner Matthews said that whenever the written instruction differs from what is taught, or what is in the Election Plan, or in the manual, there is a problem.

The below items were taken out of order from the agenda:

- 7(c). **Discussion regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites.** (San Francisco Charter Section 13.107.5)

and

- 8(b). **Discussion and possible action regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites and related procedures that occurred during June 3, 2008 Statewide Primary Elections in San Francisco**(San Francisco Charter Section 13.107.5 and California Election Code Section 15281).

Discussion: President Gleason said that the California Elections Code does not require the posting of vote results outside polling sites on election evening if those results are machine tabulated. Deputy City Attorney Givner explained there is a Charter requirement and the SoS's certification for the machines that San Francisco is using which require the posting. President Gleason said that the pollworkers are hand transcribing the information that is on the screen of the Edge (touch screen) machines. President Gleason said that he would like to see no disclosure until the machines reach the Department of Elections and this would eliminate the need to recruit five voters for the Edge voting machine in order to increase voter anonymity.

Deputy City Attorney Giver said that his office will look at the Charter provision, examine it and report back to the Commission.

Commissioner Townsend asked if it has been decided that this is the direction in which the Commission wants to proceed, and if not, perhaps further discussion on the issue should not take place. The Commissioner suggested that the discussion be should the Commission recommend that the Department not comply with one or the other of the requirements and then go into discussions on that topic.

Deputy City Attorney Givner said that the Commission could adopt a general policy or authorize one or more members to speak with the Secretary of State regarding the certification, but the Commission should not take the position of not complying with the Charter or with the Secretary of State's policy.

Commissioner Matthews said that the SoS can alter her certification criteria. Therefore, the Commission can engage her office in conversation regarding this concern.

Commissioner Matthews MOVED that the President be authorized by the Commission to engage in discussions with the Secretary of State aimed at amending the certification of the Sequoia Edge Equipment in at least two respects: One, relief from the requirement of posting results from the Edge at the end of election day at polling sites; Two, to reduce the manual tally from 100% to a lesser number. SECONDED by Commissioner Phair.

Public Comment. *Brent Turner* said that in the spirit of transparency, he is in favor of postings. Additionally, he said that pollworkers should be trained properly and that staff from Sequoia Systems should not be in control of that training.

The Roll Call Vote was: Commissioner Matthews – Yes, Phair – Yes, Yu – Yes, Safont – Yes, Meek – Yes, Gleason – Yes, Townsend – No. The Motion CARRIED.

- 8 (c). **Discussion and possible action to adopt a policy that preference is given to the use of paper ballots for voting in all public elections in San Francisco, that DRE machines are not regarded as preferable or even equally desirable except for voters who would prefer to use DRE for any reason, and that voters will not be “encouraged” to use DRE machines rather than paper ballots; and that the Department of Elections shall ensure that all employee and pollworker training includes material that reinforces this policy.** [Matthews]

This item was CARRIED OVER to the July meeting.

Public Comment. *Brent Turner* said that he advocates the use of paper ballots to the greatest extent possible.

- 7(d). **Discussion and possible action to investigate, adopt a policy, and/or recommend action regarding how the City provides information to voters to determine their registration status when those voters have cast provisional ballots because the Department has no record that they are registered, or voter disputes political party registration as appears in Department voter registration data. Draft letter to Secretary of State regarding the issue to be discussed and possible action.** [Gleason]

and

- 8 (d). **Discussion and possible action to adopt a policy and/or recommend action regarding public access to source documents and information allowing individual voters to**

determine their voter registration status and pursue having provisional ballot counted.
[Gleason]

Discussion: President Gleason said that he has a concern with the Provisional (PV) Ballot Envelope's instruction to voters regarding how to determine their voting status. He said that voters are unaware of their rights to do so. The information on the envelope tells voters (in very small print) that they have the right to determine the status of their provisional ballot no sooner than 40 days after an election. However, the election is certified in 29 days. President Gleason wants voters to be able to go to the Department, look at their original registration form, or go to the Department of Motor Vehicles and pursue their "motor voter" change of address form, which if filled out 15 days before an election, means that voter is registered per the Elections Code. Other counties have the same language on their PV envelopes and therefore this is a state issue. The remedies (going to their elections official or the Superior Court) for the voter to determine early whether their ballot will be counted must be done before the canvass is completed and this is a contradiction and must be addressed.

The President's draft letter to the SoS (presented in the package for this meeting) was reviewed by the Commissioners who offered two typographical corrections. President Gleason MOVED and Commissioner Matthews SECONDED that the amended letter be sent to the Secretary of State.

Commissioner Phair reminded the Commission that in the recent Mayoral Election in Vallejo, California, the candidate was elected with a majority of only five votes. He said that this is why every vote is important and that a provisional ballot that is dismissed improperly could be instrumental in an election. He said that the first obstacle is to remove the 40 day limitation given to PV voters and then to encourage a response from the SoS as soon as possible.

The Roll Call Vote was: Commissioner Matthews – Yes, Phair – Yes, Yu – Yes, Safont – Yes, Meek – No, Gleason – Yes, Townsend – Yes. The Motion CARRIED.

7 (b). Discussion and possible action to approve the Elections Commission Operations Calendar.

and

8(g). Discussion and possible action to set Commission meeting for First and Third Wednesdays for the months of August, September, October and December 2008.

Commissioner Matthews MOVED and Vice President Meek SECONDED the approval of the Operations Calendar and the two meetings a month from August through December 2008, excluding November due to the presidential election that month. The Roll Call Vote was UNANIMOUS. The Motion CARRIED.

- 8(c). **Discussion and possible action to approve the Minutes of the May 7, 2008, and May 27, 2008 Special Commission Meetings.**

Commissioner Matthews MOVED and Vice President Meek SECONDED this item. The Roll Call Vote was UNANIMOUS. The Motion CARRIED.

- 8(e). **Discussion and possible action regarding line items related to the City's proposed budget for the Department and Commission, including staffing for Department and Commission.**

President Gleason advised the Commission that for the past two years, the Mayor's Office approved a budget for the Elections Commission Secretary at 50% time and the DoE came up with 25% more to pay the Secretary at 75%. This year, the Mayor's recommendation is still 50% and the DoE, due to more cuts in its budget, is unable to provide the 25% it has in the past.

Commissioner Townsend said that it is not a good policy to have staff unsure of their employment status and requested that the Commission send a letter to the Board of Supervisors advocating the Secretary's salary be approved at 75%. Vice President Meek said that she would draft the letter, and individual Commissioners could call members of the Board to support the Elections Commission Secretary's position.

Commissioner Townsend MOVED and Vice President Meek SECONDED this item. The Roll Call Vote was UNANIMOUS (Commissioner Matthews was not present). The Motion CARRIED.

- 8(f). **Discussion and possible action for the Commission (or members of the Commission) to request a meeting with the California Secretary of State regarding issues that impact elections in San Francisco County.**

President Gleason asked that this item be TABLED to the call of the chair until such time as the Commission needs broad general contact with the Secretary of State.

9. **Closed Session.** This item was TABLED.

ADJOURNMENT at 8:51 pm.

Elections Commission

LISTEN

TEXT ONLY

PRINT

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July 16, 2008

Elections Commission Meeting

Wednesday, July 16, 2008

At 6:00 pm

City Hall Room 408

GOVERNMENT
DOCUMENTS DEPT

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PUBLIC LIBRARY

Order of Business

1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction
4. Director's Report

• June 3, 2008 Final Canvas	• Poll Locating/ADA
• Budget/Personnel	• Poll Worker Division
• November 4, 2008 Election Preparations	• Publications
• Campaign Services	• Ballot Simplification Committee
• Outreach	• Technology Division
	• Voter Services

5. Commissioners' Reports

- Meetings with public officials
- Oversight and Observation activities
- Long-range planning for Commission activities and areas of study

Commissioners continue reports on their experiences and observations of the June 3, 2008 Consolidated Primary Election.

6. Old Business

- a. Discussion and possible action regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites and related procedures that occurred during

June 3, 2008 Statewide Primary Elections in San Francisco. Report back on discussion of issue with representatives of the Office of the California Secretary of State.[Gleason]

- b. Discussion and possible action to adopt a policy that preference is given to the use of paper ballots for voting in all public elections in San Francisco, that DRE machines are not regarded as preferable or even equally desirable except for voters who would prefer to use DRE for any reason, and that voters will not be “encouraged” to use DRE machines rather than paper ballots; and that the Department of Elections shall ensure that all employee and pollworker training includes material that reinforces this policy. [Matthews]
- c. Discussion and possible action regarding line items related to the City’s proposed budget for the Department and Commission, including staffing for Department and Commission. [Commission]

7. New Business

- a. Discussion and possible action to approve the Minutes of the June 18, 2008 Commission Meeting.
- b. Discussion and possible action regarding status of Sequoia Voting Systems equipment certification for Ranked Choice Voting (RCV) use for the November 4, 2008 Consolidated General Election. [Gleason]
- c. Discussion and possible action regarding response to 2007-2008 Civil Grand Jury Report: *A Year of Five Elections for the City/County of San Francisco* (released July 3, 2008) [Commission]
- d. Discussion and possible action regarding plans and preparations for the November 4, 2008 Consolidated General Election. [Gleason]
- e. Review, discussion and possible action regarding Elections Commission member roles and activities related to observation and evaluation of public elections. [Gleason]
- f. Discussion and possible action to evaluate the effectiveness of the Election Plan for the April 8, 2008 Special Election.
- g. Discussion and possible action to evaluate the effectiveness of the Election Plan for the June 3, 2008 Consolidated Primary Election.
- h. Discussion and possible action in response to request from San Francisco

**Department of Human Resources regarding Department Head Performance Plan
and Appraisal (PPA) Report. [Commission]**

8. Discussion regarding items for future agendas

Adjournment

Complete Commission Packet for July 16, 2008

"If any materials related to an item on this agenda have been distributed to the Elections Commission after distribution of the agenda packet, those materials are available for public inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, during normal office hours."

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6144. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the lot of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats for the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4388 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may also be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, board of supervisors, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALI

CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-40
AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies
the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Publ
Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections
Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at
meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s)
responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

**Individuals and entities that influence or attempt to influence local legislative or
administrative action may be required by the San Francisco Lobbyist Ordinance [SF
Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity.
For more information about the Lobbyist Ordinance, please contact the Ethics
Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone
(415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.**

Department: REG : ELECTIONS

Fund Description	Total Funding
1G AGF General	

Sources of Funds**Sources Subobjects:**

60136	COUNTY CANDIDATE FILING FEE	27,000	27,000
60149	PAID BALLOT ARGUMENT FEE	25,000	25,000
60199	OTHER GENERAL GOVERNMENT CHARGES	4,375	4,375
086HS	EXP REC FR HRD-HSS (AAO)	78,500	78,500
086RS	EXP REC FR RETIREMENT SYSTEM (AAO)	82,000	82,000
08799	EXP REC-UNALLOCATED (NON-AAO FDS)	595,000	595,000
GFS (1)	GENERAL FUND SUPPORT	10,473,623	10,473,623
Total Sources of Funds		11,285,498	11,285,498

(1) This figure represents the nondepartmental (citywide) general fund revenues required to support the department's operations.

Uses of Funds**Operating: AAA**

001	SALARIES	3,456,965	3,456,965
013	MANDATORY FRINGE BENEFITS	659,203	659,203
021	NON PERSONAL SERVICES	6,114,542	6,114,542
040	MATERIALS & SUPPLIES	201,264	201,264
081	SERVICES OF OTHER DEPTS (AAO FUNDS)	853,524	853,524
Total Uses of Funds		11,285,498	11,285,498

Uses by Program Recap**Programs:**

FCH	ELECTIONS	11,285,498	11,285,498
Total Uses by Program Recap		11,285,498	11,285,498

Final Budget not available at time packets were sent.
 Budget is expected to be finalized by Board of Supervisors on
 Tuesday, July 15, 2008.

6.c.1

Report Date:
May 30, 2008

Annual Salary Ordinance 2008-2009
Budgeted Position Counts by Department and Job Code

Page 42 of 208

Job Code Title		Low /Type/ High			FTE
REG	Elections				
	Program: FCH	ELECTIONS			
	SubFund: 1G AGF AAA GF - NON-PROJECT - CONTROLLED				
0951	Dep Dir I	3,187.00	B	4,067.00	1.00
0952	Dep Dir II	3,689.00	B	4,708.00	1.00
0962	Dept Head II	4,905.00	B	6,260.00	1.00
1052	IS Business Analyst	2,676.00	B	3,369.00	1.00
1054	IS Business Analyst-Principal	3,590.00	B	4,514.00	1.00
1062	IS Programmer Analyst	2,313.00	B	2,910.00	1.00
1222	Sr Payroll & Personnel Clerk	2,048.00	B	2,490.00	1.00
1403	Elections Clerk	1,618.00	B	1,965.00	3.00
1408	Principal Clerk	1,999.00	B	2,430.00	3.00
1410	Chief Clerk	2,292.00	B	2,786.00	4.00
1450	Executive Secretary 1	1,999.00	B	2,430.00	1.00
1471	Elections Worker	1,690.00	B	2,053.00	2.75
1827	Administrative Services Mgr	2,953.00	B	3,589.00	0.15
1842	Management Assistant	2,172.00	B	2,640.00	3.00
9770	Community Development Asst	1,778.00	B	2,161.00	1.00
9772	Community Development Spec	2,236.00	B	2,719.00	1.00
AC35	Bd/Comm Secretary 3	2,953.00	B	3,589.00	0.50
TEMPM	Temporary Position	0.00	B	0.00	21.83
SubFund Total:					48.23
Program Total:					48.23
REG Department Total:					48.23

Actual Organizational Chart not available at time packets were sent.

C. C. 2.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
CIVIL GRAND JURY

OFFICE OF THE GRAND JURY
ROOM 008
400 MCALLISTER STREET
SAN FRANCISCO, CA 94102
TELEPHONE: (415) 551-3605

Confidential

July 1, 2008

Mr. Gerard Gleason
President
Elections Commission
City Hall, Room 48
San Francisco, CA 94102

RE: Report of the 2007-2008 San Francisco Civil Grand Jury

Dear Mr. Gleason:

The 2007-2008 San Francisco Civil Grand Jury will release its report to the public entitled "A YEAR OF FIVE ELECTIONS FOR THE CITY AND COUNTY OF SAN FRANCISCO" on Thursday July 3, 2008. Enclosed is an advanced copy of that report. Please note that by order of Presiding Judge of the Superior Court David L. Ballati, this report is to be kept confidential until the date of release.

California Penal Code Section 933.05 requires the responding party or entity identified in the report to respond to the Presiding Judge of the Superior Court, within a specified number of days. You may find the specific day the response is due in the last paragraph of this letter.

For each Finding of the Civil Grand Jury, the response must either:

- (1) agree with the finding, or
- (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation made by the Civil Grand Jury, the responding party must report either:

- (1) that the recommendation has been implemented, with a summary explanation
- (2) of how it was implemented;
- (3) the recommendation has not been implemented, but will be implemented in the future, with a time frame for the implementation;

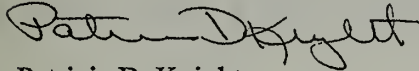
7.c.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
CIVIL GRAND JURY

- (4) the recommendation requires further analysis, with an explanation of the scope of that analysis and a time frame for the officer or agency head to be prepared to discuss it (less than six months from the release of the report); or
- (5) that recommendation will not be implemented because it is not warranted or reasonable, with an explanation of why that is. (California Penal Code, sections 933, 933.05.)

On behalf of the Elections Commission, pursuant to Penal Code Sec. 933 (c), please provide your responses to the Findings and Recommendations in this report to the Presiding Judge of the Superior Court, David L. Ballati **no later than Friday August 30, 2008**, with an information copy sent to the Board of Supervisors. Please also send an information copy to the Grand Jury Office at the above address.

Very truly yours,



Patricia D. Knight

Foreperson

2007-2008 San Francisco Civil Grand Jury

cc: Nori Hirasuna, Audits Division

**THE 2007-2008 CIVIL GRAND JURY
FOR THE
CITY AND COUNTY OF SAN FRANCISCO**

**A YEAR OF FIVE ELECTIONS
FOR THE CITY/COUNTY OF SAN FRANCISCO**

**RELEASE DATE
JULY 3, 2008**

I. EXECUTIVE SUMMARY

Between November 2007 and November 2008, the San Francisco Department of Elections will conduct five elections -- a special election, two primaries, and two general elections, including the 2008 presidential election. For three of the five elections, the key question of the validity of the results has been answered. The legally-required internal audit of the election (the "canvass" process) validated the results of the November 2007 and the February and April 2008 elections.¹ The Secretary of State has certified the results of all three elections.

The Department of Elections (the "DOE"), not the Mayor or the Board of Supervisors, deserves the credit for conducting well run elections. The DOE does so even with the significant challenges it faces. The DOE does not have permanent space that is secure for the storage of voting machines, offers adequate working conditions, and provides sufficient training space. These conditions persist in spite of the 2002-2003 Civil Grand Jury (the "2002-2003 Jury") recommendation: "*The City should identify and secure a single site for consolidation of DOE operations.*"² (emphasis added) While it took a year, the DOE, the City Administrator, and the Real Estate Division finally indicated their full agreement with the recommendation in 2004. Even so, the Mayor and the Board of Supervisors (the "Board") have yet to take action to implement the Jury's recommendation. Now in mid-2008, the need for permanent space remains unfulfilled. The current site at Pier 48 is a modest improvement over the prior space, but it is not permanent and must compete with potential demands for development of the site. In short order, the Office of the Mayor and the Board of Supervisors must provide a permanent, consolidated home for DOE functions.

In addition to the sheer number of elections, the DOE faced and still faces increased scrutiny from the Secretary of State. The November 2008 presidential election will involve Ranked-Choice Voting ("RCV") for local elections in much of the City, and yet the Sequoia voting machine has not been certified by the Secretary of State for counting RCV ballots. The lack of a back-up plan for counting RCV ballots in the event certification is not received must be remedied, especially in view of the high voter turnout anticipated for the November 2008 election.

The DOE must create better and more effective outreach efforts to the electorate, particularly on the intricacies of RCV and the technicalities of casting provisional and absentee (vote by mail) ballots.

¹ At the time of this report, certification of the June 2008 election is not yet complete.

² "Improving the Infrastructure of Democracy ..." Report of the 2002-2003 Civil Grand Jury. www.sfcourts.org

III. DISCUSSION

The San Francisco Department of Elections is charged with the following responsibilities:

“...Conduct all public federal, state, district and municipal elections in the City and County ... [This includes] voter registration; the nomination and filing process for candidates to City and County offices; the preparation and distribution of voter information materials; ballots, precinct operations and vote count; the prevention of fraud in such elections; and the recount of ballots in cases of challenge or fraud.”

(San Francisco Charter, sec. 13.104)

The Department of Elections faced several challenges for the November 2007 and February 2008 elections. Some of these same challenges were factors in the April and June 2008 elections, as they will be in the November 2008 election. These include:

- Working locations dispersed across the City, creating loss of efficiency and productivity;
- Machine storage and testing facility with poor security, adverse working conditions and the potential to damage machines;
- Ranked-Choice Voting for several City offices;
- Use of voting machines from Election Systems & Software (“ES&S”) that were not certified by the Secretary of State to count RCV ballots;
- Introduction of the new Sequoia voting machines requiring testing and training;
- Unexpectedly high voter turnout for the February 2008 partisan presidential primary election.

A. The Centralization of the Department of Elections

1. Space Needs of the Department of Elections

The DOE lacks adequate, permanent space for its day-to-day operations. Furthermore, its space requirements, which increase significantly during an election, have been inadequate for some time. The 2002-2003 Jury reported that the Department of Elections was operating in and out of six different facilities during the election periods it observed, including City Hall, Pier 29, and Cor-o-Van Storage (“COV”) on lower Potrero Hill. The 2002-2003 Jury recommended a consolidation of all activities into a single site. The Director of the DOE, the Director of the Real Estate Division, and the City Administrator each issued official responses to the recommendation between June 8 and July 6, 2004. Each response indicated full agreement with the recommendation that a consolidated site should be provided. Four years later, the DOE is still spread across the City, with the 2002-2003 Jury recommendation unimplemented.

DOE sites need to be accessible to members of the public, who are invited to observe the election process. COV had limited on-site visitor parking with one disability parking space and a few spaces for visitors. DOE did not have designated spaces. During one visit, the disabled-accessible parking space was blocked by a COV truck. The building could be accessed by a ramp, which was not a designated walkway, but designed for moving stored material. The same was true of the entrance, where people competed with equipment for space.

Security of the COV site was a concern, since COV is a commercial facility available to the public. Storage company employees and other customers had relatively easy access to the area where election machines were stored. The DOE space was not separately secured or guarded. DOE did not provide security for the facility. For reasons of insurance liability coverage, only COV personnel were permitted to access DOE equipment from facility shelves. This may seem a reasonable policy for COV, but not for DOE, as it increased the Department's costs.

b. Pier 48

For the elections in 2008, a different storage site was used -- Pier 48. This facility is an improvement; however, Pier 48 still presents drawbacks. Working conditions are less than ideal (for example, drinking water is unavailable and there is a lack of nearby eating facilities). This Pier is far from the other DOE operations and public transportation to and from this location is inefficient, with only one MUNI line stopping nearly two blocks away. Two blocks is a long walk for the disabled or for personnel transporting documents or equipment. Furthermore, the DOE's lease for Pier 48 expires in a few more years, presenting again the challenge to find adequate and permanent space. The site is also threatened by the Port's consideration of developing the space for other uses.

The Jury again toured Pier 48 shortly after the June 2008 election and found various hazards and problems. Most significant was the lack of drinkable water. The water fountains installed after the February 2008 election were wrapped in multiple layers of yellow caution tape. This was to prevent personnel from drinking brownish tap water.

Due to the Mayor's ban on buying bottled water, there was no water in the water cooler jug, nor were there any cases of bottled water—unlike in February, when both were readily available.

Additional safety hazards (electrical and tripping) that the Jury observed involved the use of an extension cord, running along a wet floor. The cord provided power to a microwave used by staff to prepare their food.

These problems at Pier 48 show DOE management's lack of proper attention to workplace safety and the need to meet both the legal requirement to provide drinking water and the City's policies regarding bottled water in the workplace.⁴

⁴ California Code of Civil Regulations Title 8. Div.1. Chap. 4. § 3363. Water Supply.

B. Voting Machine Certification for Ranked-Choice Voting (RCV)

In 2002, San Francisco voters approved a Charter Amendment requiring the City to utilize a Ranked-Choice Voting, or “instant run-off voting” method for elections for certain City offices. By allowing voters to rank a first, second and third choice candidate for a single office, RCV eliminates separate runoff elections.

The official DOE explanation of RCV is found in How Ranked-Choice Voting Works:⁵

- To start, every first-choice selection is counted. Any candidate who receives a majority (more than 50%) of the first-choice selections is declared the winner.
- If no candidate receives more than 50% of the first-choice selections, the candidate who received the fewest number of first-choice selections is eliminated.
- Voters who selected the eliminated candidate as their first choice will have their vote transferred to their second choice.
- The votes are then recounted. If any remaining candidate receives more than 50% of the votes, he or she is declared the winner.
- If no remaining candidate receives more than 50% of the votes, the process of eliminating candidates and transferring votes to the next ranked candidate is repeated until one candidate has a winning majority.

RCV was used for the November 2007 election for the offices of Mayor, District Attorney, and Sheriff. The voting machine used for that election, Election Systems & Software (ES&S), had not been certified by the California Secretary of State for its use for counting RCV ballots. As a result, the count and tally of each precinct’s ballots had to be done at a location other than the local precincts. This delayed the issuing of the election results. The delay would have been considerably greater if the RCV second and third choice ballots had had to be counted. However, each race subject to RCV resulted in one candidate getting a majority of the first choice votes cast, so no RCV ballot counting procedure was needed. Counting of second and third choice ballots is required only if no candidate receives a majority of first choice votes.

RCV will be used for some local elective offices in the November 2008 election. The new Sequoia voting machine has not yet been certified by the California Secretary of State for counting RCV ballots. Voter turnout for the November 2008 presidential election is likely to be high. An alternative way of counting RCV ballots must be in place in the event the Secretary of State does not issue the required certification in sufficient time for the election.

FINDINGS:

5. Sequoia must obtain the Secretary of State’s certification that Sequoia voting machines have the capacity to count RCV ballots.

⁵ Tuesday, November 6, 2007 Voter Information Pamphlet & Sample Ballot, page 14

During the Jury's observations of the Absentee Ballot (vote-by-mail) signature verifications, it became clear that many voters fail to follow the requirement for the signature on the envelope. To be a valid Absentee Ballot, each individual's ballot requires its own registered voter signed envelope. As a result those Absentee Ballots, where the signature requirements were not met, could not be counted.

There were cases where multiple ballots were found in one envelope, often ballots from members of the same household. In such cases, none of the ballots in the envelopes would be counted, because each voter's ballot requires its own signed envelope.

There has been a steady increase in the number of Absentee (vote-by-mail) Ballots cast, and this trend is likely to continue. Additional education and outreach need to be provided to the voters to clarify the Absentee Ballot (vote-by-mail) procedures, timing and signature requirements.

FINDINGS:

- 11. Some pollworkers and voters do not understand the procedures for voting for candidates where Ranked-Choice ballots are used.**
- 12. There is a lack of understanding by some voters of the requirements for submitting a valid Absentee Ballot.**

3. Voter Outreach

The Department of Elections is required by various federal, state, and local laws - such as the Help America Vote Act - to provide voter outreach and education. The DOE has performed many tasks to respond to these obligations. The Jury applauds the DOE's efforts to educate voters through extensive outreach for each of the elections it observed.

Education and outreach uses many approaches, including:

- DOE staff members who can communicate in English, Mandarin, Cantonese, Spanish and Russian
- Brochures are provided in those languages
- Community presentations
- Specialized outreach for voters with disabilities
- Use of the media and website

The Jury is aware that other jurisdictions have used additional techniques that have proven effective. For example, the Sacramento elections department has placed display cards in vehicles operated by the Rapid Transit District, notifying passengers of voter registration deadlines.

San Francisco's MUNI/MTA has a provision in its advertising contract that space must be made available for public service advisories on and within MUNI passenger vehicles. For the cost of

8. The perception of fair and accurate elections requires that voters know in advance and understand the alternative plan for counting RCV ballots.
- C. The Voters: Voter Education and Outreach for Registration, Ranked-Choice Voting, Absentee (Vote-by-Mail) Ballots
9. For partisan primary elections, some voters with a declared party affiliation believed incorrectly that they could appear at the polling place and request the ballot of another party.
 10. These voters were unaware of the fact that they had to re-register and change their party affiliation prior to voting for another party's candidate[s].
 11. Some pollworkers and voters do not understand the procedures for voting for candidates where Ranked-Choice ballots are used.
 12. There is a lack of understanding by some voters of the requirements for submitting a valid Absentee Ballot.
 13. The Department of Elections is subject to federal, state, and local laws regarding voter outreach and education.
 14. While the DOE does meet these legal requirements, additional outreach efforts are needed on voter registration requirements and deadlines, the Ranked-Choice Voting process and the requirements for submitting a valid Absentee Ballot.

V. RECOMMENDATIONS

1. The Office of the Mayor and the Board of Supervisors must provide an adequate budget and direct the Division of Real Estate to find permanent, unified, secure, and safe space for the San Francisco Department of Elections where all DOE staff can efficiently perform all their duties.

Response required: Office of the Mayor; Board of Supervisors; Division of Real Estate; City Administrator; Department of Elections; Elections Commission

2. An appropriate source of drinking water must be made available at all times for on-site employees.

Response required: Office of the Mayor; Department of Elections; Elections Commission; Division of Real Estate

VI.
CHART OF REQUIRED RESPONSES

YEAR OF FIVE ELECTIONS
FOR THE CITY AND COUNTY OF SAN FRANCISCO

RECOMMENDATION	1	2	3	4	5	6	7	8	9
<i>RESPONSE REQUIRED IN 90 DAYS</i>									
BOARD OF SUPERVISORS	X								
<i>RESPONSE REQUIRED IN 60 DAYS</i>									
THE MAYOR	X	X							
THE DEPARTMENT OF ELECTIONS	X	X	X	X	X	X	X	X	X
THE CITY ADMINISTRATOR	X								
THE DIVISION OF REAL ESTATE	X	X							
THE ELECTIONS COMMISSION	X	X	X	X	X	X	X	X	X

VII.

APPENDIX

A. MATERIALS PROVIDED TO AND REVIEWED BY 2007-2008 CIVIL GRAND JURY

The 2007-2008 San Francisco Civil Grand Jury reviewed the materials provided by the Department of Elections for the November 2007 and February 2008 elections, including

- Election Plan for the Municipal Election – November 6, 2007
- Election Plan for the Presidential Primary Election – February 5, 2008
- Pollworker Training Manual
- Voting Machine descriptions and operations manuals
- Voter Information Pamphlet & Sample Ballot
- California Primary Election – Official Voter Information Guide
- Vote-by-Mail instructions
- Registration requirements and instructions
- Observer Guide
- Press Releases, letters and announcements

VII.

APPENDIX

C. TRAINING CLASSES FOR NEW EXPERIENCED AND ADVANCED INSPECTORS (POLLWORKERS)

The Civil Grand Jury attended training classes for New, Experienced, and Advanced Inspectors scheduled to work in precincts throughout the City. Every worker in the polling places was required to attend training classes.

The instructors were knowledgeable. They used a comprehensive PowerPoint™ presentation. There were usually two instructors per class which helped to keep the material more interesting and to the point. In an effort to conclude the training within the time allotted, the instructors asked the students to hold their questions until the end. This process was not always followed and resulted in some sections hurried and some questions left unanswered. This was a problem in the New Inspector class and not a problem in the Experienced or Advanced Inspector classes.

There was no hands-on training on voting machine set-up, operation, and closing during the class for the February 2008 election. The likely reason was that the machines were not available in time for the training.

VII.

APPENDIX

E. VALIDATION OF REGISTERED VOTERS

The Civil Grand Jury observed the process used for the validation of registered voters. This process is used during the months prior to an election to validate lists received from the Secretary of State of residents of California who have moved out of California and are now registered in another state, and of registered voters who have died. Some change of address information within California is also made available to the Department of Elections. If there is a question, the DOE will try to contact the voter for clarification.

The signature of every Absentee (vote-by-mail) Ballot envelope is examined by at least two DOE personnel to verify the authenticity of the signature. Every Absentee Ballot must have its own envelope – one signature, one ballot. This is the only way a ballot can be verified as from a registered voter. This verification of authenticity is done by comparing the voter's signature on the Absentee Ballot envelope with the signature on the affidavit of registration on file.

In addition every Provisional Ballot is also signature and address verified with the current Voter Registration affidavit of registration on file.

If the signature does not match, an authorized DOE staff may declare the ballot void.

POLICY REGARDING COMMISSIONER DUTIES ON ELECTION DAY

Charter section 13.103.5 provides that the Elections Commission's duties include assessing "how well the [election] plan succeeded in carrying out a free, fair and functional election." Additionally, Charter section 13.104.5, which restricts most City employees and officers from performing certain functions relating to the conduct of elections, exempts members of the Commission from those restrictions.

It is the policy of the Elections Commission that Commissioners have no mandatory responsibilities on Election Day. Commissioners may choose to act as observers at one or more locations, to serve as poll workers, or to play no role. Regardless of their Election Day activities, all Commissioners should remain mindful that individual Commissioners may not initiate or take action in their official capacity without Commission authorization, and that the Commission gives direction to the Department of Elections only through the Director and cannot interfere with the day-to-day operations of the Department.

If a member of the Commission chooses to work as a poll worker, that member must comply with all rules and laws applicable to poll workers and should not use his or her status as a Commissioner for any purpose when acting as a poll worker. When acting as a poll worker, a Commissioner is required to follow the direction and supervision of the Department's employees, including the inspector, field election deputy, and full-time staff. Failure to follow these directions or otherwise attempt to use one's status as a Commissioner to supersede such supervision is prohibited.

At the Commission meeting immediately preceding Election Day, the Commission will attempt to coordinate Election Day activities to the extent possible.

Commissioners with questions or concerns about potential conflicts arising from their Election Day activities should contact the City Attorney's Office.

7.e.1

Election Plan Evaluation Notes From Past Meetings

To: Commissioners
From: Commissioner Gleason

The following information refers to adopted policies and proposed but not voted upon criteria from past meetings for Evaluation of Election Plans and Commissioner observations and duties which could assist with evaluation of election plans. This information is provided as a review and may be helpful with discussions related to these areas at the July 16, 2008 Commission meeting.

Election Observation & Evaluation

[From October 17, 2007]

(Suggestion: Commissioner Meek)

Nine areas for assessing the election:

- How do we get information on the ballots
- How do we get the votes counted
- How do we report the votes
- Voter Registration
- Voter Education
- Vote Tabulation
- Compliance with the Code
- Vote Integrity
- Voter Communication

(No policy adopted at meeting)

Commission and Commission Member Roles Related to Election Plan Evaluation

[From September 19, 2007]

POLICY REGARDING COMMISSIONER DUTIES ON ELECTION DAY

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At the Commission meeting immediately preceding Election Day, the Commission will attempt to coordinate Election Day activities to the extent possible.

Commissioners with questions or concerns about potential conflicts arising from their Election Day activities should contact the City Attorney's Office.

(Policy adopted September 19, 2007)

[From January 16, 2008]

“It shall be the Election Commission’s policy to assess the conduct of an election as delineated in the Election Plan in specific areas, agreed upon in advance, by the Elections Commission, through reasonable and appropriate observations, investigation and/or further inquiry of those areas.”

(Policy approved January 16, 2008)

City and County of San Francisco

**Gavin Newsom
Mayor**



Department of Human Resources

**Micki Callahan
Human Resources Director**

DATE: June 25, 2008

TO: Commission Members
Department Heads

FROM: Micki Callahan
Human Resources Director

SUBJECT: Department Head Performance Plan and Appraisal

A key element of the City's Civil Service Reform efforts has been the requirement that all City employees participate in the Performance Plan and Appraisal (PPA) process. On a positive note, the numbers of completed PPAs citywide have steadily increased over the past three years. We now strive to implement this requirement in a more coordinated fashion for Department Heads. The new Department Head PPA process is intended to provide more consistency and a better understanding and commitment to citywide performance goals.

In consultation with the Mayor's Chief of Staff and the Controller, the Department of Human Resources has developed a PPA specifically for Department Heads. This Department Head PPA is modeled after the PPA that is currently utilized for most City employees and will be required for all Department Heads who report directly to the Mayor. This PPA model is recommended for use for other Department Heads as well, to provide consistency citywide.

Our goal is to have all PPAs in place for FY08-09. The following is a schedule:

July 11	Department Head draft PPA due to Reviewer (Commission or representative of the Commission)
July 14-18	Reviewer (Commission or representative of the Commission) and Department Head meeting to edit and sign off on PPA
July 18	Department Head PPA due to citywide PPA Committee
August 1	All Department Heads PPAs confirmed and in effect

cc: Department Personnel Officers

Attachments:

1. Detailed explanation about the sections of the Department Head PPA; and
2. Hints on Goal Setting and Performance Measures

7. h.

ATTACHMENT 1

PPA FORM

Leadership/Management Skills

Individually, each of us is responsible for acquiring and developing our leadership and management skills in the areas outlined in the form. The foundation of these skills is improving performance and accountability. Where appropriate, performance measures are indicated.

Citywide Strategic Pillars

There are ten (10) Strategic Pillars. These are critical policy areas established by Mayor Newsom as the focus for efforts to improve our effectiveness as a City. Each Strategic Pillar will have "pillar leads" in the Mayor's Office and in key departments, who will be directly responsible coordinating work in support of that pillar's goals. With the Controller and the Mayor's Chief of Staff, the various pillar leads will establish the goals and measures for each of the Strategic Pillars. Every Department Head PPA will reflect the same citywide goals for each Strategic Pillar. Ultimately, every Department Head will share in our success or failure in reaching the goals of each pillar.

Department Initiatives Tied to Strategic Pillars

Each Department Head is responsible for establishing department initiatives and setting goals which are directly related to the Strategic Pillars. A minimum of four (4) Strategic Pillars should be specifically addressed in each Department Head PP. Where possible, performance measures should be developed to track progress. There should be multiple department initiatives for the Strategic Pillars most closely aligned with the work of each department.

Departmental Operational Goals

The department's Operational Goals are set by Department Heads and, where possible, performance measures developed to track progress towards the goals. These goals typically reflect the work that is the unique or core mission of the department.

Reviewer

The Commission (or a representative of the Commission) should be the Reviewer. A PPA Committee will be staffed by DHR, CON and the Mayor's Office. The Committee will finalize the Citywide goals for inclusion in the Department Head PPAs.

7.h.1

ATTACHMENT 2

HINTS ON GOALS SETTING AND PERFORMANCE MEASUREMENT

Setting Goals

The goals should be something that can be accomplished in specific, well-defined and measurable terms that is achievable within a specific time frame. The goals drive performance improvement and enhance accountability. In developing the goals, it may be helpful to use the SMART model:

- S - Specific (unambiguous, clearly defined – know exactly what to do to achieve this goal)
- M - Measurable (evidence/data to demonstrate that the objective was completed)
- A - Achievable (realistic and within your control/authority – stretch goals are good)
- R - Relevant (to department's mission and strategic objectives – address key projects)
- T - Time Framed (does the goal have a deadline?)

When cooperation is needed, group goals should be set.

Performance Measurement – “What gets measured, gets done”

Each of us is accountable for the delivery of services, through efficiently and effectively managing our programs. Performance measures provide a means of accountability by tracking progress toward specific outcomes. When determining measures, you can include any of the following categories: input, output, outcome, efficiency and cost-effectiveness.

Input	Show the amount of resources, financial or otherwise, used for a specific activity or purpose.
Output	Show the quantity of units produced or services rendered by an activity or program.
Outcome	Report on the result of a given activity or program. Assess activity or program impact and effectiveness to show whether expected results have been achieved.
Efficiency	Record the inputs (costs) per unit of outcome.
Cost Effectiveness	Comparison of the relative inputs and outcomes. Being cost effective means providing maximum result at the minimum expense.

7. h. 2



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF HUMAN RESOURCES

DEPARTMENT HEAD

Performance Plan and Appraisal Report

DEPARTMENT HEAD IDENTIFICATION INFORMATION

1. LAST NAME, FIRST NAME, MIDDLE INITIAL	2. JOB CODE NUMBER AND TITLE	3. STATUS: Permanent Exempt (PEX)
4. WORK LOCATION & DIVISION	5. DEPARTMENT	6. REASON FOR REPORT <input type="checkbox"/> Annual <input type="checkbox"/> Unscheduled
	7. REVIEW PERIOD	

EXPLANATIONS OF SECTIONS

I. PERFORMANCE PLAN: LEADERSHIP/MANAGEMENT SKILLS — A list of the leadership and management skills for Department Heads. Comments may include clarification of leadership/management skills, address mid-year progress, and appraise the performance based on measures, if available.

II. PERFORMANCE PLAN: GOALS — Most important goals for the review period and comments regarding the appraisal of the performance of the goals. In setting goals for the Department Initiatives tied to Strategic Pillars, the goals must address a minimum of four (4) Strategic Pillars, with multiple Department initiatives tied to the Strategic Pillars. Source documents to be utilized: Mayor's Executive Directives, Department's Efficiency Plan and Department's Performance Measures. The status of these items may be reported at SFStat meetings.

III. APPRAISAL REPORT SUMMARY

A. Overall Performance Rating — Reviewer's rating of the Department Head's overall performance over the appraisal review period. Rating is based upon Leadership/Management Skills (20%), Citywide Strategic Pillars (20%), Department Initiatives tied to Strategic Pillars (30%) and Department Operational Goals (30%).

B. Comments Regarding Overall Performance — Narrative explanation of the rating of overall performance during the appraisal report review period, with emphasis on Management, Collaboration/Relationships, Leadership and meeting of Department's performance measures.

C. Guidelines — Guidelines for Department Heads regarding the Department Head Performance Plan and Appraisal Report.

IV. SIGNATURE

A. Performance Plan/Goals Sign-Off — Reviewer and Department Head's signatures regarding the Performance Plan and Goals.

B. Mid-Period Performance Review Meeting — Reviewer and Department Head's signatures regarding the Mid-Year Review.

C. Reviewer — Reviewer's signature regarding the Performance Appraisal Report.

D. Department Head's Statement — Department Head's statement and signature regarding the Performance Appraisal Report.

I. PERFORMANCE PLAN – LEADERSHIP/MANAGEMENT SKILLS

1- Performance Planning and Appraisals: Perform annual performance appraisals and develop goals and work plans with employees. Measure % complete.	COMMENTS:
2 – Planning and Budgeting: Set targets, establish metrics, set financial plans in place, all connected to organization strategy and tactics. Justify resources and anticipate requirements. Measure: Budget, Workers Comp Cost.	COMMENTS:
3 – Department Operational Leadership: Set mission and goals. Allocate resources to ensure results are achieved. Monitor to ensure performance goals/measures are met. Quality management - continuous improvements in the department, creation of new efficiencies and increased effectiveness. Measure: Overtime, Employee Availability.	COMMENTS:
4 – Directing, Motivating and Developing Staff: Develop trust and confidence with managers, clients, subordinates, peers or project manager. Model relationship building for direct reports. Coach and develop reporting managers to manage more effectively. Provide leadership development opportunities such as team assignments, special projects and other learning experiences. Measure: Peer review.	COMMENTS:
5 - Customer/Client Relations: Is responsive and constructive in all dealings with customers, strategic partners, suppliers, and agencies.	COMMENTS:
6 - Conflict Resolution: Resolve conflicts between subordinates and peers inside/outside organization. Mediate conflicts between subordinates.	COMMENTS:

7 - Communication: Communicate Department's mission, strategy, goals and other essential information to the Department.	COMMENTS:
8 - Professional Development: Accountable for own professional development, including self-management, self-development and self-insight. Possess integrity and copes with pressure and adversity. Proficient in time management.	COMMENTS:
9 - Teamwork: Build and maintain an environment that contributes to more effective teamwork between direct reports and within reporting managers' work units.	COMMENTS:
10 - Disaster Preparedness: Take all necessary steps to prepare yourself for an emergency, in your capacity as a Disaster Service Worker; provide updated personal contact information to your department so that you can be contacted in the event of an emergency; report in and respond promptly to instructions by the City and/or your department in the event of an emergency; complete the Department of Human Resources Disaster Service Worker and required National Incident Management System training by June 30, 2008; complete Personal Preparedness Training by December 31, 2008; and carry out disaster-related work assignments as required.	COMMENTS:

II. PERFORMANCE PLAN - GOALS

A. CITYWIDE STRATEGIC PILLARS:

1. PANHANDLING AND HOMELESSNESS	REVIEW OF PERFORMANCE:
2. HEALTH	REVIEW OF PERFORMANCE:
3. ENVIRONMENT	REVIEW OF PERFORMANCE:
4. HOMICIDE AND VIOLENT CRIME	REVIEW OF PERFORMANCE:
5. EMERGENCY PLANNING	REVIEW OF PERFORMANCE:
6. EDUCATION	REVIEW OF PERFORMANCE:
7. POVERTY AND EQUAL OPPORTUNITY	REVIEW OF PERFORMANCE:
8. TRANSPORTATION	REVIEW OF PERFORMANCE:
9. INFRASTRUCTURE, PLANNING AND REDEVELOPMENT	REVIEW OF PERFORMANCE:
10. GOVERNMENT EFFICIENCY	REVIEW OF PERFORMANCE:

B. DEPARTMENT INITIATIVES TIED TO STRATEGIC PILLARS:

1.	REVIEW OF PERFORMANCE:
2.	REVIEW OF PERFORMANCE:
3.	REVIEW OF PERFORMANCE:
4.	REVIEW OF PERFORMANCE:
5.	REVIEW OF PERFORMANCE:
6.	REVIEW OF PERFORMANCE:
7.	REVIEW OF PERFORMANCE:
8.	REVIEW OF PERFORMANCE:
9.	REVIEW OF PERFORMANCE:
10.	REVIEW OF PERFORMANCE:

C. DEPARTMENT OPERATIONAL GOALS:

1.	REVIEW OF PERFORMANCE:
2.	REVIEW OF PERFORMANCE:
3.	REVIEW OF PERFORMANCE:
4.	REVIEW OF PERFORMANCE:
5.	REVIEW OF PERFORMANCE:
6.	REVIEW OF PERFORMANCE:
7.	REVIEW OF PERFORMANCE:
8.	REVIEW OF PERFORMANCE:
9.	REVIEW OF PERFORMANCE:
10.	REVIEW OF PERFORMANCE:

III. APPRAISAL REPORT SUMMARY

A. OVERALL PERFORMANCE RATING

The appraisal report on overall performance should include a consideration of all items in the Leadership/Management Skills, Citywide Strategic Pillars, Department Initiatives tied to Strategic Pillars, Department Operational Goals for the review period. Circle the appropriate number on the continuum.

Did Not Meet Expectations	Met Expectations	Exceeded Expectations
Performance of job duties needs improvement; did not meet many or majority of objectives.	Performed job duties competently and effectively; met the objectives. (Meets Competent and Effective requirement)	Performed job duties with exceptional competence and effectiveness; exceeded the objectives.
1	2	3

B. COMMENTS REGARDING OVERALL PERFORMANCE

C. GUIDELINES – DEPARTMENT HEAD PERFORMANCE PLAN AND APPRAISAL REPORT

1. Department Head shall assist in the development of the Department Head Performance Plan and Appraisal Report.
2. Department Head shall sign off on the Department Head Performance Plan and Appraisal Report.
3. Department Head shall report on the performance measurables mid-year and at the end of the year for the Department Head Performance Plan and Appraisal Report.
4. Department Head shall receive a copy of the Department Head Performance Plan and Appraisal Report.

IV. SIGNATURE PAGE

PERFORMANCE PLAN

A. Performance Plan/Goals Sign-Off

1. REVIEWER SIGNATURE	2. DEPARTMENT HEAD SIGNATURE	3. MEETING DATE
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B. Mid-Period Performance Review Meeting

1. REVIEWER SIGNATURE	2. DEPARTMENT HEAD SIGNATURE	3. MEETING DATE
-----------------------	------------------------------	-----------------

PERFORMANCE APPRAISAL REPORT

C. Reviewer

1. REVIEWER SIGNATURE	2. DATE
-----------------------	---------

D. Department Head's Statement

1. <input type="checkbox"/> I AGREE WITH THIS REPORT. <input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT. _____ NO. _____	2. DEPARTMENT HEAD SIGNATURE <input type="checkbox"/> DECLINED TO SIGN. DATE: _____
--	--



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF HUMAN RESOURCES

DEPARTMENT HEAD

Performance Plan and Appraisal Report

DEPARTMENT HEAD IDENTIFICATION INFORMATION

1. LAST NAME, FIRST NAME, MIDDLE INITIAL	2. JOB CODE NUMBER AND TITLE	3. STATUS: Permanent Exempt (PEX)
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	7. REVIEW PERIOD	

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9. INFRASTRUCTURE, PLANNING AND REDEVELOPMENT	REVIEW OF PERFORMANCE:
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B. DEPARTMENT INITIATIVES TIED TO STRATEGIC PILLARS:

1.	REVIEW OF PERFORMANCE:
2.	REVIEW OF PERFORMANCE:
3.	REVIEW OF PERFORMANCE:
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5.	REVIEW OF PERFORMANCE:
6.	REVIEW OF PERFORMANCE:
7.	REVIEW OF PERFORMANCE:
8.	REVIEW OF PERFORMANCE:
9.	REVIEW OF PERFORMANCE:
10.	REVIEW OF PERFORMANCE:

C. DEPARTMENT OPERATIONAL GOALS:

1.	REVIEW OF PERFORMANCE:
2.	REVIEW OF PERFORMANCE:
3.	REVIEW OF PERFORMANCE:
4.	REVIEW OF PERFORMANCE:
5.	REVIEW OF PERFORMANCE:
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10.	REVIEW OF PERFORMANCE:

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1	2	3

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IV. SIGNATURE PAGE

PERFORMANCE PLAN

A. Performance Plan/Goals Sign-Off

1. REVIEWER SIGNATURE	2. DEPARTMENT HEAD SIGNATURE	3. MEETING DATE
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B. Mid-Period Performance Review Meeting

1. REVIEWER SIGNATURE	2. DEPARTMENT HEAD SIGNATURE	3. MEETING DATE
-----------------------	------------------------------	-----------------

PERFORMANCE APPRAISAL REPORT

C. Reviewer

1. REVIEWER SIGNATURE	2. DATE
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D. Department Head's Statement

1. <input type="checkbox"/> I AGREE WITH THIS REPORT. <input type="checkbox"/> I DO NOT AGREE WITH THIS REPORT: SECT. _____ NO. _____	2. DEPARTMENT HEAD SIGNATURE <input type="checkbox"/> DECLINED TO SIGN. DATE: _____
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City and County of San Francisco

Gavin Newsom
Mayor



Department of Human Resources

Micki Callahan
Human Resources Director

DATE: June 25, 2008

TO: Commission Members
Department Heads

FROM: Micki Callahan
Human Resources Director

SUBJECT: Department Head Performance Plan and Appraisal

A key element of the City's Civil Service Reform efforts has been the requirement that all City employees participate in the Performance Plan and Appraisal (PPA) process. On a positive note, the numbers of completed PPAs citywide have steadily increased over the past three years. We now strive to implement this requirement in a more coordinated fashion for Department Heads. The new Department Head PPA process is intended to provide more consistency and a better understanding and commitment to citywide performance goals.

In consultation with the Mayor's Chief of Staff and the Controller, the Department of Human Resources has developed a PPA specifically for Department Heads. This Department Head PPA is modeled after the PPA that is currently utilized for most City employees and will be required for all Department Heads who report directly to the Mayor. This PPA model is recommended for use for other Department Heads as well, to provide consistency citywide.

Our goal is to have all PPAs in place for FY08-09. The following is a schedule:

July 11	Department Head draft PPA due to Reviewer (Commission or representative of the Commission)
July 14-18	Reviewer (Commission or representative of the Commission) and Department Head meeting to edit and sign off on PPA
July 18	Department Head PPA due to citywide PPA Committee
August 1	All Department Heads PPAs confirmed and in effect

cc: Department Personnel Officers

Attachments:

1. Detailed explanation about the sections of the Department Head PPA; and
2. Hints on Goal Setting and Performance Measures

ATTACHMENT 1

PPA FORM

Leadership/Management Skills

Individually, each of us is responsible for acquiring and developing our leadership and management skills in the areas outlined in the form. The foundation of these skills is improving performance and accountability. Where appropriate, performance measures are indicated.

Citywide Strategic Pillars

There are ten (10) Strategic Pillars. These are critical policy areas established by Mayor Newsom as the focus for efforts to improve our effectiveness as a City. Each Strategic Pillar will have "pillar leads" in the Mayor's Office and in key departments, who will be directly responsible coordinating work in support of that pillar's goals. With the Controller and the Mayor's Chief of Staff, the various pillar leads will establish the goals and measures for each of the Strategic Pillars. Every Department Head PPA will reflect the same citywide goals for each Strategic Pillar. Ultimately, every Department Head will share in our success or failure in reaching the goals of each pillar.

Department Initiatives Tied to Strategic Pillars

Each Department Head is responsible for establishing department initiatives and setting goals which are directly related to the Strategic Pillars. A minimum of four (4) Strategic Pillars should be specifically addressed in each Department Head PP: Where possible, performance measures should be developed to track progress. There should be multiple department initiatives for the Strategic Pillars most closely aligned with the work of each department.

Departmental Operational Goals

The department's Operational Goals are set by Department Heads and, where possible, performance measures developed to track progress towards the goals. These goals typically reflect the work that is the unique or core mission of the department.

Reviewer

The Commission (or a representative of the Commission) should be the Reviewer. A PPA Committee will be staffed by DHR, CON and the Mayor's Office. The Committee will finalize the Citywide goals for inclusion in the Department Head PPAs.

ATTACHMENT 2

HINTS ON GOALS SETTING AND PERFORMANCE MEASUREMENT

Setting Goals

The goals should be something that can be accomplished in specific, well-defined and measurable terms that is achievable within a specific time frame. The goals drive performance improvement and enhance accountability. In developing the goals, it may be helpful to use the SMART model:

- S - Specific (unambiguous, clearly defined – know exactly what to do to achieve this goal)
- M - Measurable (evidence/data to demonstrate that the objective was completed)
- A - Achievable (realistic and within your control/authority – stretch goals are good)
- R - Relevant (to department's mission and strategic objectives – address key projects)
- T - Time Framed (does the goal have a deadline?)

When cooperation is needed, group goals should be set.

Performance Measurement – “What gets measured, gets done”

Each of us is accountable for the delivery of services, through efficiently and effectively managing our programs. Performance measures provide a means of accountability by tracking progress toward specific outcomes. When determining measures, you can include any of the following categories: input, output, outcome, efficiency and cost-effectiveness.

Input	Show the amount of resources, financial or otherwise, used for a specific activity or purpose.
Output	Show the quantity of units produced or services rendered by an activity or program.
Outcome	Report on the result of a given activity or program. Assess activity or program impact and effectiveness to show whether expected results have been achieved.
Efficiency	Record the inputs (costs) per unit of outcome.
Cost Effectiveness	Comparison of the relative inputs and outcomes. Being cost effective means providing maximum result at the minimum expense.

Elections Commission

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July 16, 2008

City and County of San Francisco
Elections Commission

Approved: August 20, 2008

Minutes of the Meeting held

City Hall, Room 408

July 16, 2008

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- President Gleason called the meeting to order at 6:06 pm.
- 2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Jennifer Meek, Joseph B. Phair, Rosabella Safont, Deputy City Attorney Mollie Lee and Director John Arntz. **EXCUSED:** Commissioner Arnold Townsend.
- 3. **Announcements.** Vice President Jennifer Meek announced that she will be moving to Oakland and this would be her last meeting. She has sent her letter of resignation to the Board of Education and will work on the Commission until the end of the month.

President Gleason announced that items 7 (b) and (d) will be covered in the Director's Report if the Director so chooses.
- 4. **Public Comment.** *Richard Rothman*, a San Francisco voter, presented his idea for cutting costs - that households receiving more than one VIP (Voter Information Pamphlet) only receive one. He said that both he and his wife receive VIPs for each election and toss the extra one. Mr. Rothman has written a letter to the Board of Supervisors letting them know his idea and is asking the Commission to consider his idea for discussion at a future meeting. *Gerry Hayes* said that voter instructions are sometimes complicated and difficult for voters to understand, and especially for citizens who can't read or write. She suggested more pictures and simple diagrams that demonstrate voting procedures to help those voters.
- 5. **Director's Report.** Director Arntz reported that the canvass for the June Election has been completed. The manual tallies matched all ballots.

Budget and Personnel – The supplemental appropriation was approved by the Board of Supervisors. Preparations for the November Election have begun with the new budget.

RCV (Ranked Choice Voting) – Sequoia Voting Systems has an application at the Secretary

of State's (SoS) office. One part of that application is not completed and the SoS is requesting an explanation for every change of code since the last review. The changes have not been just for RCV, but for other components and the SoS is reviewing this as a new voting system. Sequoia plans to complete its application with the code changes from its previous version in the next two weeks.

Commissioner Phair asked if the DoE has a contingency plan to count the votes if the Sequoia system is not ready for RCV in November. Director Arntz replied that such a plan was designed in 2002, and is a detailed hand count system for ranked choice voting that is still viable. Commissioner Phair asked the Director to notify the Commission if it appears that the alternative plan will need to be used. The Director agreed to do so and to keep the Commission posted with RCV updates, which he has done in the past.

Commissioner Matthews asked if the SoS gave permission to use the machines for the first pass (in the November Election), would this be helpful. Director Arntz said it depended on the contest. He said he prefers that votes be audited at the polling place, and this is what the machines provide there.

Campaign Services – The signatures in lieu petitions are being handed out. Local measures and petitions are being returned and are being reviewed. August 1, 2008 is the deadline for measures and July 25, 2008 is the deadline for Charter Amendments.

Outreach – Staff have been attending Naturalization ceremonies, and registered 535 new voters yesterday. This was a one day record for the Division. The latest edition of the Elections Connection Newsletter has been released. Voting materials are being reviewed for language updates.

Poll Locating/ADA – Staff have sent payment stipends letters to past polling sites and enclosed letters requesting to use the sites again this November. Issues that were problematic for the last election are being reviewed. New sites are being scouted to replace some which proved inadequate due to space or amenities during the last election. Polling place equipment is being inventoried with the new bar scanning program.

Publications – Staff, immediately after June, began to ready available information for the November election such as the common pages for the VIP, masthead for the November ballots and requesting tent colors for those ballots.

Ballot Simplification Committee – Begins meeting the end of this month. Although the Committee has lost a member, a new member has been located and is awaiting approval from the Board of Supervisors.

Technology Division – Staff is preparing an on-line look up system for voters to determine if they are registered. Voters will type in their address, birthday and last name and the system will let them know their voting status. This is planned to be completed next week.

Voter Services – Staff is conducting petition reviews and voter roll purges. Forty-two thousand postcards will be sent to voters who have failed to vote in the last two federal elections and have no change of addresses to determine if these voters are still active. If the cards are returned signed, their status will be active, but if no response is received, they will be inactivated. This does not cancel the voter's registration, they can still go to the polls on

election day or come to City Hall, give the DoE their name, and vote. Putting them on the inactive list saves money because they are not sent VIPs and other materials the Department sends to active voters.

Commissioner Phair asked the Director what happens if the card is returned with "return to sender" noted by the post office. Director Arntz responded that that voter would be listed as inactive.

Vice President Meek congratulated the DoE for the new data base that will allow voters to check their voting status.

President Gleason asked if there will be enough time to reflect the existence of the new voter status data base on the Provisional Ballot Envelopes for the November 2008 Election. Director Arntz replied that voters can always call the Department on Election Day to determine their voting status.

President Gleason called the Director's attention to the capacity of the ballot holding compartment in the current voting machines compared to the old Eagles and the potential size of the November 2008 ballot with state and proposed local measures on it. He asked if the Department has plans for handling and storing these voted ballots on election day. The Director replied that the ballots will need to be removed and held outside the machines, as was done in June at some busy polling sites.

President Gleason suggested that the Department notify voters of the size of the ballot, the possibility of long lines and encourage voters to vote by mail. Director Arntz said that staff hasn't talked about those issues yet, but they will.

Vice President Meek suggested that pollworkers be trained that voters do not have to mark their ballot at the booth, but can vote, if they wish, at a table. This could expedite the process, especially if lines are long in November.

Commissioner Phair reminded the Commission and the Director that because the ballot is expected to be a long one, that the process for removing ballots from the voting machine bins and bagging them be explained in the Election Plan.

Public Comment. Gerry Hayes said that some pollworkers who worked the last election did not have the actual voting machines to examine and practice with during their training. She said that this should not be the case for the November 2008 Election.

Commissioner Matthews asked Ms. Hayes if she had first hand knowledge of pollworkers not having machines at their training classes.

Ms. Hayes said that she had trained to be a pollworker and did have machines, but according to a newspaper article she read, some pollworkers did not.

Commissioner Phair said that this concern was mentioned in the recent Civil Grand Jury report. The report cited a visit to one of the classes in which the voting machines were not yet available during training that was held earlier in the year.

- **Commissioners' Reports**

Commissioner Matthews reported on observations he made of the June 3, 2008, Consolidated Primary election that he had not shared at the previous meeting. He said the practice described in

the Election Plan of extracting the ballots from the Absentee Ballot envelope where in they are to be face down so that the name of the voter is not visible, was not always done when he observed the extraction process. He observed staff carefully looking at the front of the envelope before turning it over and extracting the ballot. When the Commissioner asked the supervisor why this was happening, he was advised that this was a quality control issue. Commissioner Matthews asked the Director the reason for the procedure since it was not in the Election Plan nor the stated policy in the DoE Newsletter nor what has been done in the past.

Director Arntz explained that the mailing of absentee ballots was out-sourced to Sequoia Voting Systems for the June 2008 Election. They mailed 1600 ballots to voters with the wrong precinct, party or ballot type. Those ballots were re-mailed and cancelled once the DoE discovered the problem. Sixty-five of the first mailed ballots were voted and seven to eight hundred of the second ballots were voted. Staff were comparing the party and ballot type information on the top of the ballot to the label on the absentee envelopes to check for more mistakes of which the Department might not be aware. Staff made this decision on their own, and after a few days it was determined that very few mistakes were found, and the procedure was stopped.

Director Arntz said that he notified the vendor that it must have safe guards in place to prevent this situation from happening in the future, and to notify him of those controls and safe guards. The Director said he will keep the Commission informed of this process with Sequoia Systems.

Commissioner Matthews asked if out-sourcing this work saves money for the City. Director Arntz said that, for this work, it saves a lot of time for staff, and therefore saves money.

7. Old Business

Discussion and possible action regarding randomization and posting of precinct election results from use of the DRE (Direct Recording Electronic) voting machines at polling sites and related procedures that occurred during June 3, 2008 Statewide Primary Elections in San Francisco. Report back on discussion of issue with representatives of the Office of the California Secretary of State. [Gleason]
President Gleason reported that he and Commissioner Matthews discussed this matter last Tuesday with the SoS via telephone. They were able to present Commissioner Matthews' power point presentation during the conversation. Lowell Finney and Evan Goldberg, both Senior Deputies, represented the SoS on the call.

Mr. Finley said "Two key conditions of the October 5, 2007, reapproval of the Sequoia Voting System are (1) a restriction to use one Sequoia Edge DRE per precinct and (2) a requirement that all votes cast on the Edge must be manually tallied using the voter verifiable paper audit trail (VVPAT)."

President Gleason said the SoS is requiring a 100% manual tally of DRE votes. In addition to the manual audit, the SoS requires that "to protect voter privacy, in instances in which at least one voter has cast their ballot on the DRE, jurisdictions are required to ensure that at least five persons voluntarily cast their ballot on the device over the course of Election Day."

President Gleason offered two statements which he proposed be used by pollworkers. The current statement discussed by the Commission last January: "You will be issued a paper

ballot unless you prefer a touch screen audio ballot”; or another response in case only a single voter in a precinct has opted to use the DRE, “Would you prefer a paper or touch screen audio ballot?” This statement would be used with each voter until there have been five voters who have used the DRE. Once the goal of five voters has been reached, pollworkers will return to using the first statement. He said he forwarded these suggestions to the Director.

Deputy City Attorney Lee reminded the Commission of its responsibility to create policy but not to interfere with the day-to-day operations of the DoE. She suggested that the Commission consider its proposal as a “general policy” proposal.

President Gleason said that there are other solutions to this SoS requirement and that some are mechanical like those taken by one county, whose vendor is not Sequoia, that turns off the tabulation device which satisfies that there is no report to post at the polling site.

The President reminded the Commission that Sequoia Voting Systems demonstrated a device at an Elections Commission meeting that combined the totals of the DRE and the optical scanning voting machine at each precinct called the HATT (Hybrid Activated Transmitter) device, however this is not what San Francisco has. There are two devices that do this and only one is certified. The SoS reminded the Commissioners during their telephone meeting that what is posted outside the polling sites are unofficial totals. Therefore, President Gleason said, there are ways the SoS can allow us to use a device that does not have full certification because the results are not official. President Gleason said he is looking for a zero dollar solution.

Commissioner Matthews said that the Commission does have the right to adopt policy and the Department must follow that policy as long as the policy doesn’t advocate something illegal like deviating from the SoS’s conditional certification. The Commission’s policies must be followed, but the Commission doesn’t determine how it is implemented.

Deputy City Attorney Lee agreed that this is an accurate interpretation of the law with the clarification that policy stays at the level of policy and doesn’t intrude on the day-to-day operations of the Department.

Public Comment. Gloria Everett, a member of the 2007-2008 Grand Jury, Introduced herself and said she was very pleased to hear the Commission’s discussion on this item. She said the Grand Jury was very pleased with the cooperation of the Department in their study, and she is present to hear the Commissions’ comments regarding the Grand Jury Report later on the agenda.

(b) Discussion and possible action to adopt a policy that preference is given to the use of paper ballots for voting in all public elections in San Francisco, that DRE machines are not regarded as preferable or even equally desirable except for voters who would prefer to use DRE for any reason, and that voters will not be “encouraged” to use DRE machines rather than paper ballots; and that the Department of Elections shall ensure that all employee and pollworker training includes material that reinforces this policy. [Matthews]

Commissioner Matthews asked the Deputy City Attorney if the item was proper in form for a policy. Deputy City Attorney Lee agreed that it was, but it might be helpful to add specific

wording that the policy is not requiring the Director to do anything inconsistent with the SoS's conditional recertification.

Commissioner Matthews said that now that he has reviewed the certification, he has found that it is not neutral about DRE. It has five pages that criticise the DRE. He called the Commission's attention to Page 5 of the certification which states in bold: ***Therefore, I, Debra Bowen, Secretary State for the State of California, find and determine all of this equipment which was previously approved, is found and determined to be defective or unexceptable and its certification is withdrawn....except as specifically provided below.*** Commissioner Matthews concluded that the Commission does not have to be neutral and the wording in our policy does not have to be neutral. He said that the policy proposed by the Commission is in complete harmony with the SoS.

Deputy City Attorney Lee pointed out one area of the policy that she said was of concern, "that voters will not be encouraged to use DRE machines rather than paper ballots" this might conflict with the SoS's language which says, "jurisdictions are required to ensure that at least five persons voluntarily cast their ballots."

Commissioner Matthews pointed out the word "voluntarily" and said that this was discussed in the telephone meeting with the SoS.

Commissioner Phair suggested the following: leave the policy as stated in the item, and at the end add, "all in conformity with the requirements of the California Secretary of State now in effect or as enacted or amended in the future." Commissioner Matthews agreed to this addition.

Commissioner Phair asked the Director about his preference in this policy discussion. Director Arntz said that the main thing for him is that the system works, it's easy to take care off, it's easy to test, it's easy to get out to and return from the polling sites, it doesn't brake down, and for him it doesn't matter what type of balloting is used as long as these conditions are satisfied. He said paper ballots are what voters have trusted most in San Francisco. The Director said that this policy mirrors, minus a few "tweaks", what happens in San Francisco, a paper based system.

Commissioner Safont asked if it was necessary to make a policy to get the Director to change the instructions to pollworkers regarding encouragement of voters to use the DRE machines for the November 2008 Election, or could the Director do this without a policy.

Director Arntz explained that the DoE's intent was never to create the perception that the Department is encouraging pollworkers. To answer Commissioner Safont's question, Director Arntz said that the Department would try to find a way "through this" where people are satisfied.

Commissioner Matthews said that the 100 percent ballot tally is good and essential and it isn't completely valid because the validity depends on each individual voter having read his/her segment on the tape as it scrolls on the DRE. He said usability studies of the machines show that this does not happen, and in the case of visually impaired voters, it can not happen.

THIS ITEM WAS TABLED TO THE CALL OF THE CHAIR FOR DECEMBER 2008.

(c). Discussion and possible action regarding line items related to the City's proposed budget for the Department and Commission, including staffing for Department and Commission. [Commission]

Commissioner Phair reported that he contacted Supervisor Elsbernd by email to encourage him, as a member of the Budget Committee, to do whatever he could to ensure that the Elections Commission Secretary's position was not cut further from 75%, and expressed that the Commission's desire was for full time funding. Commissioner Phair explained in his communication that the Secretary was the only support staff for the seven-member Commission. The Supervisor replied that he appreciated the Commission's comments and that he would do what he could but he wasn't sure what could be done given the fiscal situation.

Commissioner Phair asked the Director if he had any update. Director Arntz responded that the budget has not been changed, and the Secretary's position remains at 50% time. Vice President Meek said that this is of great concern because the Commission is planning to have two meetings a month plus a Committee meeting and this puts a strain on the Secretary who must also take care of the paperwork involved in bringing new Commissioners on board, postings, correspondence from voters, etc. She suggested cutting meetings to one per month, which falls short of the duties the Charter requires of the Elections Commission. Vice President Meek suggested documenting to the Board of Supervisors and the Mayor's Office that we respect their decision, and because the Commission now does not have the staffing it needs to function under its Chartered duties, we will fall short of our responsibilities.

Commissioner Phair asked if the Department proposed a 50% position. Director Arntz responded that the position has been funded by the City at .5 percent for the last two years.

Commission Secretary Rodriques added that the position was .5 percent and the Director of Elections was able to find an additional .25 percent from his budget to bring the salary to .75 percent for the past two years. However, due to cuts in the Department's budget, he is not able to continue the .25 percent addition to the Commission Secretary's salary for the upcoming fiscal year.

Vice President Meek suggested that the Commission send a letter to the Board documenting that the Commission cannot fulfill its role because of the budget cut so that the situation is clearly documented.

Commissioner Safont said that she agreed and that a letter should be sent to the President of the Board of Supervisors, Supervisors and the Mayor's Office with a copy to the Controller's Office so that everyone is aware that this is a serious issue, and the Commissioners will not be able to perform their duties without proper support because they are all volunteers.

Commissioner Safont MOVED and Vice President Meek SECONDED that a letter be sent to the Board, Mayor and City Controller regarding the hardship that having a half time Commission Secretary places on the Commission in performing its duties under the Charter.

Vice President Meek volunteered to write the letter.

The Roll Call Vote was UNANIMOUS to send the letter.

8. New Business

• **Discussion and possible action to approve the Minutes of the**

June 18, 2008 Commission Meeting. President Gleason requested a change in the wording of what he said under “announcements” to read that he informed the City Treasurer that the Commission cancelled a meeting recently because it didn’t have a quorum, and that his appointment would be very much appreciated. Commissioner Matthews MOVED and Vice President Meek SECONDED approval of the minutes with the changes requested by President Gleason.

The Roll Call Vote was UNANIMOUS to approve the minutes with corrections.

NOTE: Items 8(b) and 8(d) were discussed under the Director’s Report earlier in this meeting.

c. **Discussion and possible action regarding response to 2007-2008 Civil Grand Jury Report: *A Year of Five Elections for the City/County of San Francisco*** (released July 3, 2008) [Commission]

Commissioner Richard P. Matthews shared with the Commission that in addition to being a former member of the San Francisco Civil Grand Jury, he has served as trainer of the incoming Civil Grand Juries for the past four years.

Commissioner Matthews presented a first draft of the Commission’s response to the 2007-2008 report and he summarized the procedure as: Responding bodies have 60 days to respond, except for the Board of Supervisors. For findings, each body has to respond in one of two ways – yes, we agree with the finding, or we disagree wholly or partially. In either case the body must explain.

Regarding recommendations, the body must respond to each, as “the recommendation has been implemented (with some description of how), the recommendation is not yet been implemented but it will be (with a time frame and explanation of implementation), the recommendation requires further analysis (with some explanation of the scope and parameters of that analysis and a time frame) or no, the recommendation will not be implemented because it is not warranted, or not reasonable (with an explanation).

Commissioner Matthews reviewed his draft with the Commission and a copy of the draft is attached as an addendum to these minutes.

Due to the deadline for responses, the Commission must approve its answer at the next regularly scheduled meeting, or call a special meeting. Commissioner Matthews offered to bring his laptop and make any changes at the time of discussion at that meeting, and asked for suggestions from members. Commissioner Safont thanked Commissioner

Matthews for all the effort he put in producing his draft, and this was seconded by several of the members. Commissioner Phair asked Commissioner Matthews to send him the draft electronically so he could insert his suggestions and return it to him.

Deputy City Attorney Lee suggested that all communication regarding the response to the Grand Jury Report be sent through the Commission Secretary who can distribute information to all members.

ACTION: Commissioner Matthews will incorporate all suggestions made by Commissioners at this meeting, send the second draft to the Commission Secretary who will forward to the full Commission, and make a copy available to the public.

- e. **Review, discussion and possible action regarding Elections Commission member roles and activities related to observation and evaluation of public elections.**
[Gleason]

This item was CARRIED OVER to the next meeting at the request of the President.

- f. **Discussion and possible action to evaluate the effectiveness of the Election Plan for the April 8, 2008 Special Election.**

This item was CARRIED OVER to the next meeting at the request of the President.

- g. **Discussion and possible action to evaluate the effectiveness of the Election Plan for the June 3, 2008 Consolidated Primary Election.**

This item was CARRIED OVER to the next meeting at the request of the President.

- **Discussion and possible action in response to request from San Francisco Department of Human Resources regarding Department Head Performance Plan and Appraisal (PPA) Report.** [Commission] Director Arntz presented his self-assessment and goals, which he passed out to the Commission.

Deputy City Attorney Lee explained that the criteria for the Director's Performance and Appraisal are discussed in a public forum, while the actual evaluation will occur in Closed Session.

President Gleason asked if a member of the Commission could be assigned to fill out the form. Deputy City Attorney Lee said the Commission has the authority to assign those responsibilities to a particular member.

The Commission goal tonight is to determine the criteria for the appraisal.

Commissioner Matthews MOVED that the plan in the Commission Packet be adopted as

the relevant Department Head Performance Plan and Appraisal Form as amended by the Director of Elections with his self-assessment, especially as to pages 6 and 7. Commissioner Phair SECONDED.

The Commission Secretary was assigned to forward the suggestions from the members (from the audio tapes) at this meeting to Commissioner Safont who will make the changes discussed, and sign off on the revised form.

The Roll Call Vote was unanimous to prepare and send this Performance Plan with the changes suggested and Commissioner Safont's sign off to the Citywide PPA Committee by the deadline of July 18, 2008.

ADJOURNMENT at 9:26 pm

Attachment:

ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
Jennifer Meek, Vice President
Richard P. Matthews
Joseph B. Phair
Rosabella Safont
Arnold Townsend
Winnie Yu

John Arntz
Director of Elections

Shirley Rodrigues
Commission Secretary

CANCELLED

SF
E47
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cancelled

Elections Commission Meeting
Wednesday, August 6, 2008
At 6:00 pm
City Hall Room 408

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August 20, 2008

Elections Commission Meeting

Wednesday, August 20, 2008

At 6:00 pm

City Hall Room 408

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Order of Business

1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction
4. Director's Report

• Preparations for November 4, 2008 General Election	• Publications
• Ballot Simplification Committee	• Technology Division
• Budget/Personnel	• Voter Services
• Campaign Services	• Election Preparations
• Poll Locating/ADA	• Plans and Policies for November 4, 2008 Election
• Outreach	• Status of voting system certification for Ranked Choice Voting
• Poll Worker Division	•

5. Commissioners' Reports
 - Meetings with public officials
 - Oversight and Observation activities
 - Long-range planning for Commission activities and areas of study
6. Written communications received from members public to the Commission: Discussion and possible action regarding response to communications.

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7. Old Business

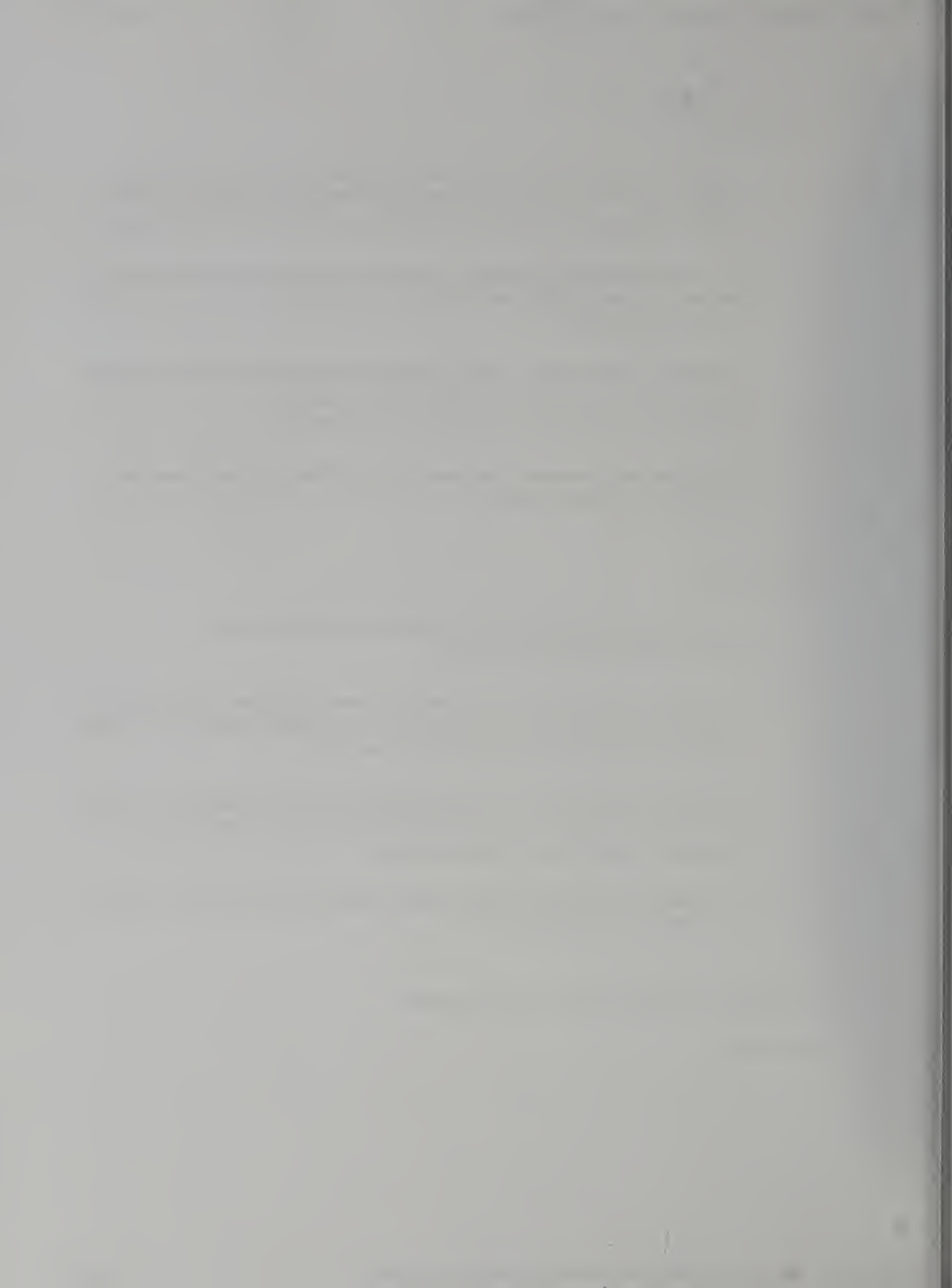
- a. **Review, discussion and possible action regarding Elections Commission member roles and activities related to observation and evaluation of public elections.** [Gleason] This item was carried over from the July 16, 2008 meeting.
- b. **Discussion and possible action to evaluate the effectiveness of the Election Plan for the April 8, 2008 Special Election.** This item was carried over from the July 16, 2008 meeting.
- c. **Discussion and possible action to evaluate the effectiveness of the Election Plan for the June 3, 2008 Consolidated Primary Election.**
This item was carried over from the July 16, 2008 meeting.
- d. **Discussion and possible action regarding preparations for the November 4, 2008 General Election.**[Gleason]

8. New Business

- a. **Discussion and possible action to approve the Minutes of the July 16, 2008, Commission Meeting.**
- b. **Discussion and possible action regarding status of Sequoia Voting Systems equipment certification for Ranked Choice Voting (RCV) use for the November 4, 2008 Consolidated General Election.** [Gleason]
- c. **Discussion and possible action regarding final draft of response to 2007-2008 Civil Grand Jury Report: *A Year of Five Elections for the City/County of San Francisco* (released July 3, 2008) [Matthews]**
- d. **Discussion and possible action to adopt a policy on favoring paper balloting over other forms.** (Matthews)

9. Discussion regarding items for future agendas

Adjournment



Commission Packet for this Meeting

"If any materials related to an item on this agenda have been distributed to the Elections Commission after distribution of the agenda packet, those materials are available for public inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, during normal office hours."

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6141. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the parking lot of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats for the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4388 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may also be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

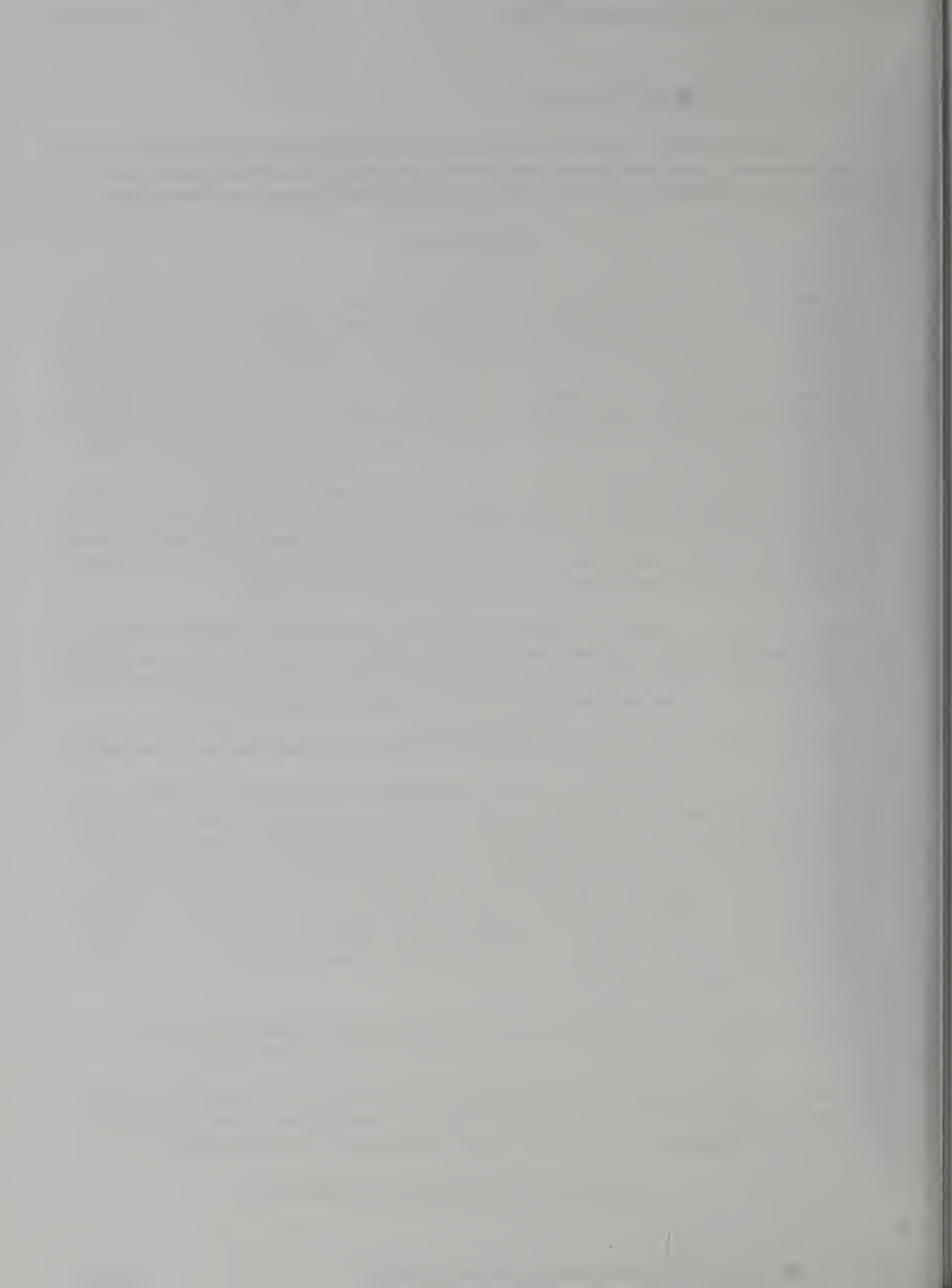
Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, and councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4009. PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library, and on the City's website at www.ci.sf.ca.us.

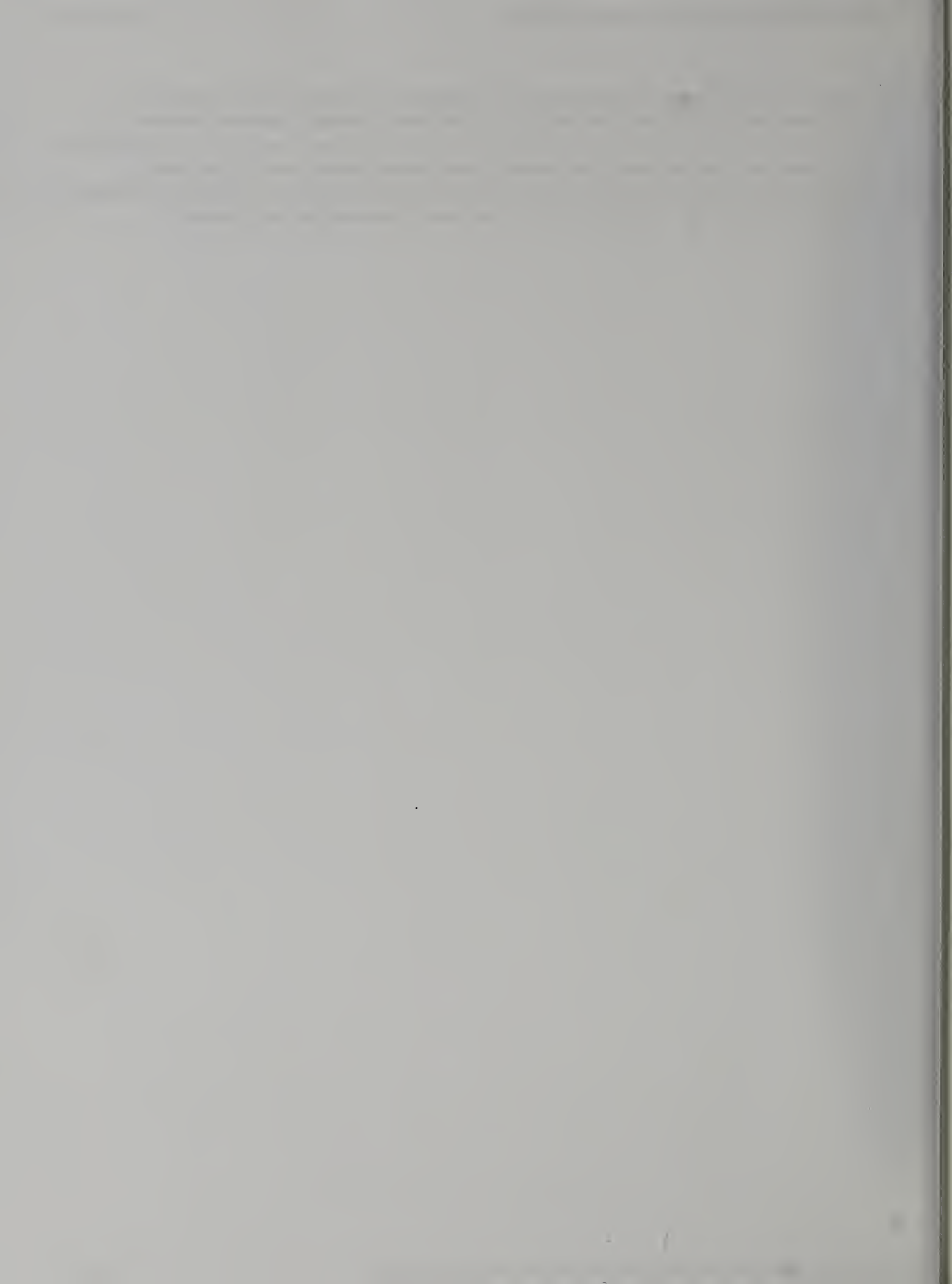
Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited during a meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements



Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.



Elections Commission
1 Dr. Carlton B. Goodlett Place, Room 48
San Francisco, CA 94102

cc: California Voter Foundation

June 15, 2008

Dear Elections Commission,

We, the undersigned, who are eligible voters in the City and County of San Francisco, request the electoral system for these two governmental levels of City and County to reflect the U.S. Constitution. In the 14th Amendment, we are given equality before the law, and our current electoral systems for City and County do not reflect this command.

Though Article I and the 14th Amendment describe in particular ways the set-up of the electoral systems for Federal and State level, no such specific instruction is given for the local level, except that of equality before the law. Therefore, our current electoral systems at the City and County level do not reflect the Constitution as created by the framers. Rather, it follows the regulations as set forth specifically for the Federal and State levels.

Though we understand the local officials' approach in this matter, and have no intention to sue for damages incurred in the past, we request an immediate implementation of our Constitutional right.

Please, understand that we do not seek to address the number of seats on the Board of Supervisors. A single vote for a single person in a single election for the entire Board of Supervisors is the only way under which we are served our Constitutional right. Any other way distorts the outcome and creates side effects to our right of equality before the law that are unconstitutional.

<i>[Signature]</i>	<i>Lowell</i>	<i>Thomas K.</i>	<i>></i>
<i>Horner</i>		<i>Deanna</i>	<i>X</i>
<i>Diana M. Pe</i>		<i>J. S. att.</i>	<i>—</i>
<i>Mark K. H.</i>		<i>[Signature]</i>	
<i>Ann C. H.</i>		<i>Barth J.</i>	
<i>Michelle M.</i>		<i>A.D.</i>	
<i>Joh D.</i>		<i>Arto Se</i>	<i>—</i>
<i>Julie</i>	<i>^</i>	<i>Sead Co. De</i>	<i>—</i>
<i>Em C</i>	<i>~</i>	<i>Julie L.</i>	<i>—</i>
<i>SAZ</i>			

D R A F T #3

The Hon. David Ballati, Presiding Judge
Superior Court of the State of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102

Re: Response of the Elections Commission to Civil Grand Jury Report, "A Year
of Five Elections for the City and County of San Francisco"

Dear Judge Ballati:

The Elections Commission of San Francisco received the above-noted Civil Grand Jury report on July 3, 2008. We thank the Civil Grand Jury for its work in its investigation of the operations of the Department of Elections, recognize its valuable work as a citizens' body, and are pleased to submit this response for your and the jury's consideration.

Background on the Elections Commission

The Elections Commission of San Francisco is a unique body that was created by voters and governed by San Francisco Charter Sec. 13.103.5. A seven-member body of unpaid citizens who are appointed by seven different elected officials (or bodies of elected officials), its powers are generally defined as:

The Commission shall set general policies for the Department of Elections and shall be responsible for the proper administration of the general practices of the Department, subject to the budgetary and fiscal provisions of this Charter. These duties shall include but not be limited to approving written plans prior to each election, submitted by the Director of Elections, detailing the policies, procedures, and personnel that will be used to conduct the election as well as an assessment of how well the plan succeeded in carrying out a free, fair and functional election. (Emphasis added.)

The Charter invests the Director of Elections with the day-to-day conduct and management of the Department of Elections.

Because the Commission is a policy-setting body, the implementation of the Recommendations of the Civil Grand Jury do not fall within its statutory purview, and

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CHICAGO, ILL.

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thus does not have the power to enact any of the Recommendations. Nevertheless, as a citizens' body that is ultimately "responsible for the general practices of the Department" (S.F. Charter Sec. 13.103.5.), the Commission offers the following responses to the jury's Findings and Recommendations.

Elections Commission's Responses to Jury Findings

"1. The Department of Elections' City Hall space is inadequate for the performance of all of its functions, so the Department utilizes various locations throughout the City."

Response: The Commission agrees with this finding.

"2. The use of multiple locations impacts the efficiency of DOE operations and potentially compromises the security and even the integrity of elections."

Response: The Commission agrees in part and disagrees in part with this finding. The Commission agrees that the use of multiple locations affects the efficiency of DOE operations, but does not agree that it potentially compromises the security or integrity of elections. It is a general principle of elections that security and integrity of elections are chiefly accomplished through well-designed and published procedures to be followed when ballots are moved, canvassed, remade, tabulated, or in any way handled as part of the elections process; and strict adherence to those procedures. The Commission believes that the DOE does a proper job of adhering to published procedures that ensure the security and integrity of elections.

"3. Five years after the 2002-2003 Civil Grand Jury recommended that 'the City should identify and secure a single site for consolidation of DOE operations,' the DOE is still without consolidated, permanent space."

Response: The Commission agrees with this finding.

"4. The current off-site location at Pier 48 does not offer DOE personnel consistent access to a reliable supply of drinking water."

Response: The Commission agrees with this finding.

"5. Sequoia must obtain the Secretary of State's certification that Sequoia voting machines have the capacity to count [Ranked Choice Voting] ballots."

Response: The Commission agrees with this finding.

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BY

REMARKS

ANALYST

REMARKS

"6. If Sequoia fails to obtain the needed certification, the Department of Elections must have a plan for counting [Ranked Choice Voting] ballots."

Response: The Commission agrees with this finding.

"7. As of the date of this report, the DOE does not have a contingency plan for counting the RCV ballots."

Response: The Commission disagrees with this finding. The Director of Elections produced and promulgated such a plan in 2003, and it remains valid.

"8. The perception of fair and accurate elections requires that voters know in advance and understand the alternative plan for counting [Ranked Choice Voting] ballots."

Response: The Commission agrees with this finding.

"9. For partisan primary elections, some voters with a declared party affiliation believed incorrectly that they could appear at the polling place and request the ballot of another party."

Response: The Commission agrees with this finding.

"10. These voters were unaware of the fact that they had to re-register and change their party affiliation prior to voting for another party's candidate[s]."

Response: The Commission agrees that this might have been the case.

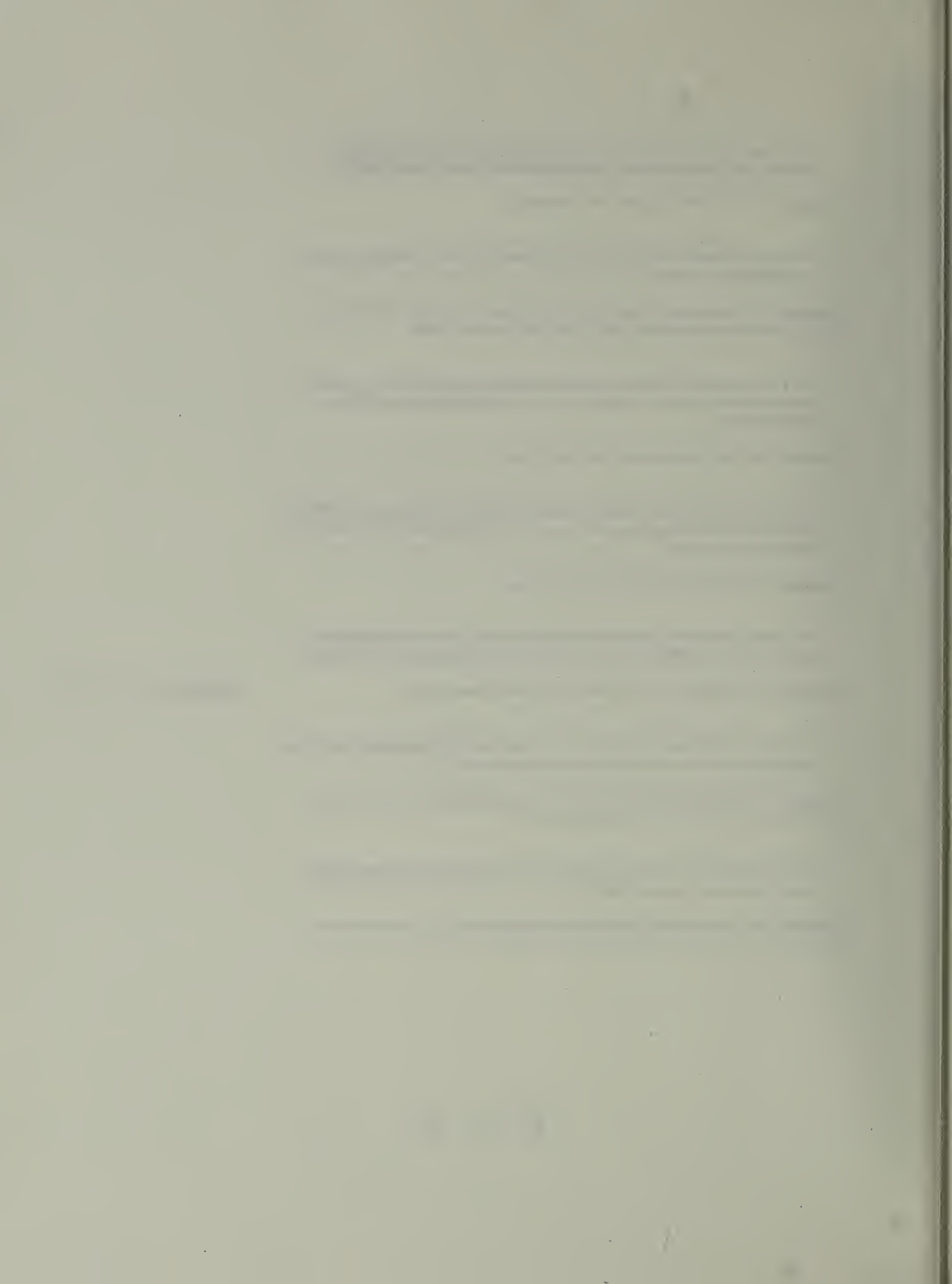
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"11. Some pollworkers and voters do not understand the procedures for voting for candidates where Ranked-Choice ballots are used."

Response: The Commission agrees with this finding, although it is unclear from the Jury's report how prevalent it finds this problem to be.

"12. There is a lack of understanding by some voters of the requirements for submitting a valid Absentee Ballot."

Response: The Commission agrees with this finding, although it is unclear from the Jury's report how prevalent it finds this problem to be.



“13. The Department of Elections is subject to federal, state, and local laws regarding voter outreach and education.”

Response: The Commission agrees with this finding.

“14. While the DOE does meet these legal requirements, additional outreach efforts are needed on voter registration requirements and deadlines, the Ranked-Choice Voting process and the requirements for submitting a valid Absentee Ballot.”

Response: The Commission agrees in part and disagrees in part with this finding. The Commission agrees that the DOE meets its legal requirements regarding voter outreach and education—and in some cases it exceeds these requirements. The Commission further agrees that some voters did not and do not understand certain aspects of registration requirements, the Ranked Choice Voting process, and the requirements for submitting a valid Absentee Ballot. However, there is no data in the Jury’s report to illustrate either (a) that those are the result of insufficient instruction, (b) how prevalent a problem these are, or (c) that devoting greater amounts of scarce DOE resources to these particular issues – necessarily at the expense of other issues – would likely result in fairer, freer, or more functional elections.

The Commission does not wish to appear callous or indifferent to even a single voter’s ballot not being counted. Indeed, the Commission, as a body of fellow citizens, laments the loss of the opportunity to count even one ballot card of a voter who has put forth the effort to vote. Nonetheless, at least two things are inevitably true: (a) some voters will, unfortunately, misunderstand instructions despite all reasonable efforts of any department of elections and despite the fact that each of the phenomena described by the Civil Grand Jury are accompanied by clear written instructions to those voters; (b) elections cannot be perfect, nor are they expected to be perfect—but the imperfections should fall randomly, fairly, and not affect any outcomes. In the Commission’s experience with San Francisco’s elections and in its knowledge of other counties’ elections, nothing described in this section of the Jury’s report is at all out of the ordinary for any election held anywhere, regrettable though it is to lose the vote of even one person who has gone to the effort to try to vote.

Elections Commission’s Responses to Jury Recommendations

“1. The Office of the Mayor and the Board of Supervisors must provide an adequate budget and direct the Division of Real Estate to find permanent,

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CHICAGO, ILL. 60637

unified, secure, and safe space for the San Francisco Department of Elections where all DOE staff can efficiently perform all their duties.”

Response: Nothing in this Recommendation falls within the jurisdiction or chartered authority of this Commission, but the Commission would defer to the operational preferences of the Director of Elections.

“2. An appropriate source of drinking water must be made available at all times for the on-site employees.”

Response: Nothing in this Recommendation falls within the jurisdiction or chartered authority of this Commission. However, the Commission supports this recommendation.

“3. The DOE should publicly establish a date certain by which Sequoia must receive the Secretary of State’s certification regarding the counting of [Ranked Choice Voting] ballots. This date should be no later than September 15, 2008.”

Response: The Commission cannot implement this Recommendation, as doing so would exceed its chartered authority to set policy for elections and would infringe on the Director of Elections’ statutory responsibility to conduct the day-to-day operations. (S.F. Charter Secs. 13.103.5, 13.104.) However, the Commission is aware of this issue, monitoring it closely through the reports of the Director of Elections, and will continue to do so.

“4. To prepare for the possibility that Sequoia fails to obtain the required certification, DOE must develop a contingency plan for counting [Ranked Choice Voting] ballots, which should be in final form by October 6, 2008.”

Response: The Commission cannot implement this Recommendation, as doing so would exceed its chartered authority to set policy for elections and would infringe on the Director of Elections’ statutory responsibility to conduct the day-to-day operations. (S.F. Charter Secs. 13.103.5, 13.104.) However, the Commission is aware of this issue, and will monitor it closely. Certainly, in the event that Sequoia does not receive state certification of Ranked Choice Voting equipment by the time the Commission considers the Election Plan submitted by the Director in advance of the November 2008 election, it will expect to see reference to the 2003 contingency plan within that Election Plan.

“5. The DOE should keep the public apprised of the status of the Secretary of State’s certification of the Sequoia voting machine for counting [Ranked Choice Voting] ballots and the status of the contingency plan if required.”

Response: The Commission cannot implement this Recommendation, as doing so would exceed its chartered authority to set policy for elections and would infringe on the

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the statistical analysis performed.

3. The third part of the document presents the results of the study. It includes a series of tables and graphs that illustrate the findings of the research. The data shows a clear trend of increasing activity over time.

4. The fourth part of the document discusses the implications of the findings. It suggests that the results have significant implications for the field of study and may lead to further research in this area.

5. The fifth part of the document concludes the study. It summarizes the main findings and provides a final statement on the importance of the research.

Director of Elections' statutory responsibility to conduct the day-to-day operations. (S.F. Charter Secs. 13.103.5, 13.104.) However, the Commission supports and encourages all efforts of the Department to be as transparent as possible with information about how the elections are conducted. The Commission also notes that if a contingency plan is needed, it will be referred to in the Election Plan for the November 2008 election, which is a public document.

"6. For a partisan primary election, where separate ballots are used based on a voter's party affiliation, the DOE's training and voter outreach programs need greater emphasis on the fact that in order to vote for a candidate in another party, voters must re-register and change their party affiliation by the voter registration deadline."

Response: The Commission cannot implement this Recommendation, as doing so would exceed its chartered authority to set policy for elections and would infringe on the Director of Elections' statutory responsibility to conduct the day-to-day operations. (S.F. Charter Secs. 13.103.5, 13.104.) However, the Commission is mindful of these concerns, and will have public discussions with the Director and discuss publicly among its members to determine whether greater efforts in these areas – necessarily at the expense of other things – would be expected to achieve significant improvement in the areas the Jury describes.

The Commission acknowledges that while some aspects of voting requirements are not intuitive for all voters, it is also true that all of this information is publicly posted, and it is worth noting that the overwhelming majority of voters managed to comply with the requirements.

"7. The DOE's pollworker training needs to emphasize the Ranked-Choice Voting process."

Response: The Commission cannot implement this Recommendation, as doing so would exceed its chartered authority to set policy for elections and would infringe on the Director of Elections' statutory responsibility to conduct the day-to-day operations. (S.F. Charter Secs. 13.103.5, 13.104.) However, the Commission is mindful of these concerns, and will have public discussions with the Director and discuss publicly among its members to determine whether greater efforts in these areas – necessarily at the expense of other things – would be expected to achieve significant improvement in the areas the Jury describes.

The Commission acknowledges that while some aspects of voting requirements are not intuitive for all voters, it is also true that the pertinent RCV information is printed in three languages directly on the voting materials as well as in the Voter Information Pamphlet supplied to each registered voter in the language requested by that voter, and it is worth noting that the overwhelming majority of voters managed to comply with the requirements.

"8. The DOE's outreach program needs to improve voter instructions on the Ranked-Choice process and the use of Absentee Ballots."

Response: The Commission cannot implement this Recommendation, as doing so would exceed its chartered authority to set policy for elections and would infringe on the Director of Elections' statutory responsibility to conduct the day-to-day operations. (S.F. Charter Secs. 13.103.5, 13.104.) However, the Commission is mindful of these concerns, and will have public discussions with the Director and discuss publicly among its members to determine whether greater efforts in these areas – necessarily at the expense of other things – would be expected to achieve significant improvement in the areas the Jury describes.

The Commission acknowledges that while some aspects of voting requirements are not intuitive for all voters, it is also true that all of this information is printed in three languages directly on the voting materials, and it is worth noting that the overwhelming majority of voters managed to comply with the requirements.

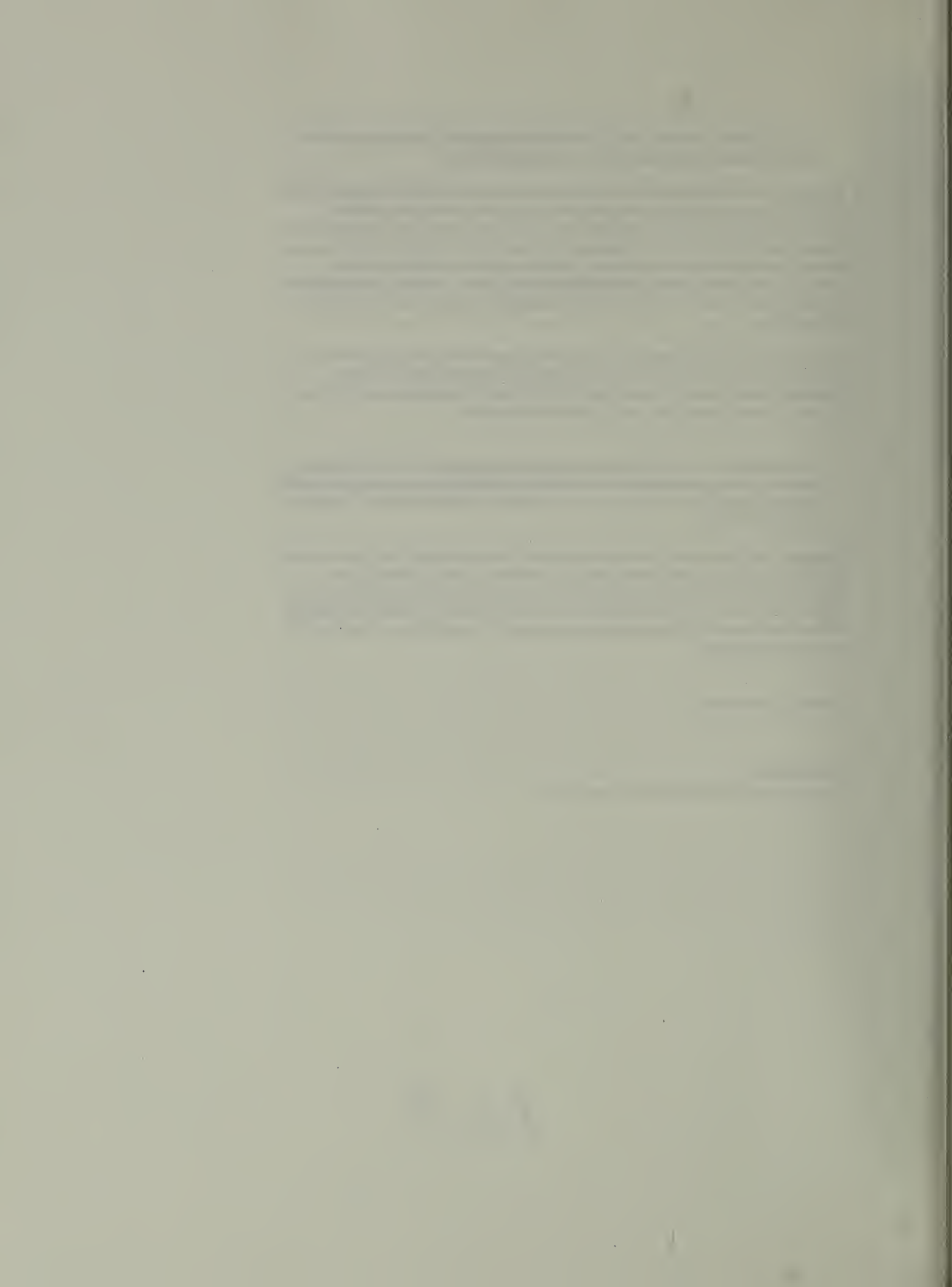
"9. In addition to its established communication approaches, the DOE should explore enhanced techniques to communicate information on the less understood aspects of voting such as partisan primary elections, Ranked-Choice Voting and Absentee Ballots."

Response: The Commission cannot implement this Recommendation, as doing so would exceed its chartered authority to set policy for elections and would infringe on the Director of Elections' statutory responsibility to conduct the day-to-day operations. (S.F. Charter Secs. 13.103.5, 13.104.) However, the Commission supports and encourages all efforts of the Department to be as transparent as possible with information about how the elections are conducted.

Respectfully submitted,

Gerard Gleason
President, San Francisco Elections Commission

J.C.7.



1 **DRAFT POLICY ON FAVORING PAPER**
2 **BALLOTING OVER OTHER FORMS**
3

4 Whereas, direct recording entry (DRE) voting systems capture a vote and store it on a
5 memory card rather than mark a paper ballot, after which the votes are tabulated
6 from the memory cards rather than optical scan of paper ballots, and

7 Whereas, California Secretary of State Debra Bowen decertified all DRE voting systems
8 in use in California and only recertified them for the limited purpose of providing
9 one machine per precinct for disabled voters so as to comply with the federal Help
10 America Vote Act (see, e.g., WITHDRAWAL OF APPROVAL OF SEQUOIA
11 VOTING SYSTEMS, INC., WINEDS V 3.1.012/AVC
12 EDGE/INSIGHT/OPTECH 400-C DRE & OPTICAL SCAN VOTING SYSTEM
13 AND CONDITIONAL RE-APPROVAL OF USE OF SEQUOIA VOTING
14 SYSTEMS, INC., WINEDS V 3.1.012/AVC EDGE/INSIGHT/OPTECH 400-C
15 DRE & OPTICAL SCAN VOTING SYSTEM (October 25,2007 Revision) for
16 the system that San Francisco currently uses, and see
17 http://sos.ca.gov/elections/elections_vsr.htm for the Secretary's similar actions on
18 all other manufacturer's voting systems as well), and

19 Whereas, significant numbers of voters continue to have misgivings about votes not
20 being cast on a paper ballot, believing that it provides inferior security and
21 inferior ability to conduct a meaningful recount if one is necessary, and

22 Whereas, significant numbers of voters, scholars, and engineers continue to have
23 misgivings about a voting system in which the same device both captures and
24 tabulates votes (which DRE devices do, as opposed to paper ballots which are
25 then scanned, or touch-screen devices which mark a paper ballot that is then
26 scanned), and

27 Whereas, the San Francisco Elections Commission has expressed its concerns about the
28 use of DRE machine by voters who do not need to do so, both out of concern for
29 vote security and because all votes cast on DRE machines must be manually
30 tallied during the post-election canvass, as required by the Secretary of State in

THE HISTORY OF THE UNITED STATES

OF AMERICA

The history of the United States is a story of growth and change. It begins with the first people who lived on this land, and continues through the years of exploration, settlement, and the struggle for independence. The story is one of a people who have built a great nation, and who are still building it today. The history of the United States is a story of the people who have lived here, and of the things they have done. It is a story of the people who have made this country what it is today, and of the things they have done to make it so. The history of the United States is a story of the people who have lived here, and of the things they have done. It is a story of the people who have made this country what it is today, and of the things they have done to make it so.

1 the Conditional Re-Approval cited above, adding real time and expense to the
2 canvass for this necessary security measure, and

3 Whereas, the San Francisco Department of Elections' Pollworker Training Manual for
4 the elections of February 2008 and June 2008 dictated that pollworkers would say
5 to voters, "You will be given a paper ballot unless you would prefer to use a
6 touchscreen or audio ballot," and that this language was agreeable to the Elections
7 Commission, and

8 Whereas, there was notable deviation from this provision in the Pollworker Manual in a
9 small number of polling places in the February 2008 election but much more
10 widespread deviation from this provision in the June 2008 election, owing at least
11 in part to mixed messages provided to pollworkers in their training, and resulting
12 in a seven-fold increase in the rate of usage of DRE devices without any evidence
13 of a corresponding seven-fold increase in the number of disabled voters,
14

15 NOW THEREFORE the San Francisco Elections Commissions adopts as FORMAL
16 POLICY that the San Francisco Department of Elections shall operate in all its
17 functions so as to prefer the use of paper ballots (either marked by hand with the
18 current system or marked with the assistance of a machine designed for disabled
19 access in future systems) over the use of DRE voting, allowing of course for legal
20 requirements and Secretary of State directives mandating the availability of voting
21 equipment which is accessible for disabled voters, including insuring that a
22 minimum of five voters use the DRE in cases where one voter has used the DRE.
23 Indeed, it is contemplated by the Elections Commission that this policy does not
24 conflict with any requirements, but rather supports the Secretary of State's
25 Conditional Re-Approval cited above, which recertified the Sequoia system solely
26 for use by disabled persons. Neither is it expected that this policy will ever
27 conflict with the Help America Vote Act, as ballot-marking devices, including
28 touch-screen ones, are available for use by disabled persons and comport with this
29 policy perfectly.

30 It is further contemplated by the Elections Commission that this policy will be
31 implemented in all Department functions, including but not limited to pollworker

1 training and future purchases of voting equipment, and commencing with the
2 election to be held on November 3, 2008.

8. d. 2.



Elections Commission

LISTEN

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August 20, 2008

City and County of San Francisco

Elections Commission

Approved: September 3, 2008

Minutes of the Meeting held

City Hall, Room 408

August 20, 2008

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1. President Gleason called the meeting to order at 6:12 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Joseph B. Phair, Rosabella Safont, Deputy City Attorney Mollie Lee and Director John Arntz. Commissioner Arnold Townsend arrived at 6:40 pm. EXCUSED: Commissioner Winnie Yu.
3. **Announcements.** President Gleason informed the Commission that he has spoken to the Administrative Assistant for the Board of Education regarding the Board needing to make an appointment to fill the vacancy of Vice President Jennifer Meek who resigned last month.
President Gleason reminded the Commission that there will be two meetings for each of the next two months. The first meeting being September 3, 2008.
4. **Public Comment.** *Chandra Friese* spoke regarding item 6 in the Minutes for the July 16, 2008 meeting which were the observations of the June election by Commissioner Matthews. Ms. Fries' comments and questions to the Commission are attached to these minutes.
5. **Director's Report.** Director Arntz reported the preparations for the November 4, 2008 General Election:

Ballot Simplification Committee (BSC)— The November Election has been a real challenge for the Committee because of the number of ballot measures and the high degree of public interest. The Board of Supervisors has commended the BSC for their work on the upcoming election. The Director suggested that the Commission invite Betty Packard, chairperson of the BSC, to speak regarding the work the Committee does, and for the Commission to offer its own commendation to her. Director Arntz thanked Ms. Packard for her hard work.

Budget and Personnel – The order for ballots for November is being prepared, invoices for the previous fiscal year are being processed because the supplemental has finally been approved, shipments and invoices for the upcoming election are being prepared. Personnel processing is very heavy at this time of the year – after each election, staff are separated from employment with the City, then they are rehired for the next election, and we've had five elections for 2008. This process is very time consuming.

Campaign Services – The nomination process has just been completed. Sixty-one candidates filed, 295 ballot arguments were submitted and 228 were paid arguments. The phone bank will begin operations on September 8 and the phone bank manual is being edited and updated. Currently, information in the voter guide is being inspected.

Poll Locating/ADA – New staff are being trained in accessibility requirements. Trying to find new polling sites continues as previous sites are unavailable, and evaluations and input from Field Election Deputies (FEDs) and citizens regarding past sites are considered. The sites need to be in place by the end of September when the Voter Information Pamphlets go to print with the voters polling locations affixed. However, there will be polling site cancellations after the VIPs are completed and new sites must be found and voters notified. In addition, a new bar code inventory system is being implemented for voting equipment and staff is involved in the systems' creation.

Outreach – Presentations to community organizations have begun. An article on accessible voting has been provided to Lighthouse for the Blind. Notices will be placed on buses and at bus shelters regarding voting in the upcoming election. This was suggested by the Civil Grand Jury report and will not be an expense for the Department. The DoE is targeting low voter turn out areas in the City for its additional outreach efforts.

Pollworker Division – Staff have sent out availability letters to former pollworkers and the response has been good. It appears that having enough pollworkers for November will probably not be a problem. High School student recruitment has begun. The students have been a very important part of the City's pollworker recruitment in the past and have been instrumental in meeting our language assistance needs. During the June election this had been a problem due to students' testing schedules and summer vacation. This will not be a problem for November.

Publications – This division is responsible for the Ballot Simplification Committee meetings and the information from that Committee, in conjunction with the City Attorney's Office. Some materials have already gone to the printer for the ballot because the division was able to get a head start on the November election right after the June election. Staff is waiting to see if there will be a tax measure or a reformatting of a current state measure on the ballot from the state. The VIP is well underway. Staff reviewed state measures and found improvements to some of the language the state was using. These improvements have been adopted by the state. This recognition by the state is a coup for the Division. The Division has been working with Campaign Services regarding the intakes for the VIP and candidate information.

Technology Division – Staff has developed a "soft launch" of a voter registration "look up" to assist citizens in determining their registration status. A formal announcement and press

release is forth coming. People have already begun to use the site. Polling place information will be added to the site, and the Division is working to find other ways to make the site more personalized and meaningful. The logic and accuracy testing of the voting system is being streamlined.

Voter Services – The Director said he is concerned that there haven't been more voter registration cards coming into the division. Currently the number is approximately 100 per day. Thirty-two thousand residency confirmation cards have been mailed to citizens who have not voted in the last four years (which includes two federal elections). Four thousand have responded back to the Division. Staff is confirming signatures on nomination and paid argument forms.

Director Arntz said that he has been extremely impressed with all of the Divisions' handling of the many elections we've had this year. He said he's never seen the Department perform so well and he is very proud.

Commissioner Matthews said that he shares the Director's pride in the Department, and that the Commission congratulates the Department on the fine work it has achieved over the past four elections. The Commissioner said he observed the BSC during its last session and complimented the Director on his explanation of the great work that Committee performs election after election for long hours, day after day and with no compensation at all. Commissioner Matthews recommended that the Commission do a resolution thanking the BSC and the Deputy City Attorney for their great work.

President Gleason asked if frequently asked questions might be added to the Voter Registration data base for voters on the Department's website, for example why a voter may have to pass one polling site in their neighborhood to vote at another further away.

Plans and Policies for the November 4, 2008 Election – Director Arntz reported that the SoS began reviewing the Sequoia Voting System for Ranked Choice Voting (RCV) last Monday and will proceed for seven days. There will be hearings for staff reports on the testing and public comment. Then the SoS approves or rejects the system for use for RCV. The earliest that the approval can be granted is the first week or two in October. This means that early voting will begin without the touch screen equipment being available. The Director informed the Commission that any voting on the touch screens will be remade onto a paper ballot from the VVPAT (voter verified paper audit trail) tape.

The Director reported that in the past any tabulations of the votes on a DRE (Direct Recording Electronic) machine had to have a hand count and a posting of that result at the polling site. Since those votes will not be certified for use by tabulation for the next election, there is no need to post results at the polling sites. Also, since there will be no posting, there will be no need for the previous process of seeking five voters to use the DRE if one voter uses it. The Director announced that the DoE will probably give paper ballots to every voter for the November 2008 election. This will be explained in the outreach to voters with disabilities, and to pollworkers who will be more comfortable with this equipment due to the additional training they will be given. Pollworkers will give special assistance to visually impaired voters. The DRE will be conditionally certified and will be available.

The Director said that since the ballot will be three to four cards long, there will be scheduled transfers of ballots from the optical scan voting machines to the red ballot box and sealed at polling sites with high voter turnouts. This procedure will be noted on the Department's website and in the Election Plan. The Field Election Deputies (FEDs) will keep an eye on the counters at the voting machines and make determinations during the day whether to make the transfers.

President Gleason asked the Director if the Secretary of State was aware of the procedure to transfer ballots during election day. Director Arntz responded that the SoS was not aware. President Gleason said that during the November 2004 election, when ballots were removed and secured in another box because the voting machine bin was overloaded, the public notice of the procedure may not have been adequate, and voters might have asked why ballots were being removed from the voting machine during election day. The President suggested that there be a thoroughly detailed procedure for the transfer.

Public Comment. *Chandra Friese* said that she used the new voter registration look-up on the Elections Department website and was very pleased with the results. She said it took her ten seconds to check her registration status. *Ms. Fries* said that she called the Department and asked for the same information and was helped immediately. She complimented the Director regarding the voter roll purges. *Roger Donaldson* said that the procedure regarding touch screen voting and the handing of paper ballots to voters was confusing to him, but he was certain that it would be cleared up at the inspector training he plans to attend.

6. **Commissioners' Reports.** Commissioner Gleason reported that he and Commissioner Matthews attended the Open Voting Consortium's demonstration at Linux World to view their voting system. He said he was pleased to see the simplified voting system that prints ballots on demand. One drawback he did notice was there was no central tabulating system and ballots were being scanned by hand which would be impossible for the number of ballots and voters in San Francisco. The simplified voting system that was demonstrated would cost a fraction of the City's current system's cost. President Gleason said that in his opinion, this was a good start, but the system has a long way to go.

Commissioner Matthews added that the demonstration had a large number of touch screens. The voter would check all of their votes and then hit the print button for their ballot which is produced on plain paper. The ballot is bar coded, and the cost for printed ballots is a lot less, and there are less wasted, unused printed ballot cards. He reported that the equipment demonstrated was quoted at \$400 each compared to what the City has purchased at \$4,000 each. The equipment looks like a screen attached to a printer. The tabulation equipment hasn't been created for this system and Commissioner Matthews said that this was a demonstration of a valuable idea in its infancy.

7. **Written communications received from the public to the Commission:
Discussion and possible action regarding response to communications.**

President Gleason referred to the letter sent in an email from info@localparty.org which deserves a response. He said that their issue was not one to be handled by the Elections Commission.

Commissioner Phair said that he read the letter and doesn't understand the complaint.

Commissioner Matthews asked if it appears that the letter is requesting the abolition of RCV.

President Gleason replied that he was not certain, but it appears the concern is regarding how members of the Board of Supervisors are set up.

President Gleason MOVED that he is to write a short response with the assistance of the Deputy City Attorney, Commissioner Safont SECONDED this item. The Roll Call Vote was: Gleason – yes, Matthews – yes, Safont – yes, Townsend – absent for the vote, Phair – yes. THE MOTION CARRIED.

8. Old Business

(a) **Review, discussion and possible action regarding Elections Commission member roles and activities related to observation and evaluation of public elections.**

[Gleason] This item was carried over from the July 16, 2008 meeting. President Gleason explained that he shared the Commissioner assignments from past elections with the newest member of the Commission, Rosabella Safont, and will also provide this information to the Commission's new Deputy City Attorney Mollie Lee. He proposed that the Commission develop its own credential badge for members who observe election activities before, during and after an election beginning this November. These badges will not be issued until the Commission agrees in advance to whom and for what the credential is given. Within two weeks, the Commission will begin to discuss the roles for the November election.

President Gleason said that in addition to the certification of the voting system, the SoS has asked counties to put together an election observation panel and has made suggestions of who should be members of those panels. The San Francisco panel will include members of the Civil Grand Jury, The League of Women Voters, members from the media, and the county central committee – each group to have two appointees on the panel. The President says that this is one reason he wants Commissioners to have their own badges – to separate them from this panel and avoid any confusion.

Commissioner Townsend said that he was concerned that there doesn't appear to be any members representing ethnic minorities on this panel and he recognizes that this is an SoS issue

Commissioner Safont asked the Director if there would be an opportunity to add groups to the SoS's suggested panel.

Director Arntz said that the SoS offers guidelines for who invitees should be, and the Department puts out a general announcement inviting participants on the observer panel. Anyone who wants to be on the panel can be and the observer guide is available on the

Department's website.

President Gleason said that he would provide the information to the Commission Secretary to distribute to all members.

(b) **Discussion and possible action to evaluate the effectiveness of the Election Plan for the April 8, 2008 Special Election.** This item was carried over from the July 16, 2008 meeting. Commissioner Phair advised that the Budget and Oversight of Public Elections Committee, of which he is a member, discussed this topic at its last meeting with Director Arntz; and the Commissioner developed a first draft of an outline regarding how to streamline the evaluation process. Commissioner Matthews, who is also a member of that Committee, will be reviewing the draft and making additional suggestions to be approved by the Committee and brought before the full Commission.

It was agreed that the new outline would be used for the November 2008 General Election, and that Commission members have already reviewed the April and June elections and their knowledge and experiences during those elections and therefore have enough to vote on a finding regarding the evaluation of those elections.

Commissioner Matthews MOVED and Commissioner Townsend SECONDED to approve that the Election Plan for the April 8, 2008 Special Election was effective and that the Election Department complied with that plan. The Roll Call Vote was UNANIMOUS to approve the effectiveness of the April 8, 2008 Election Plan

(c) **Discussion and possible action to evaluate the effectiveness of the Election Plan for the June 3, 2008 Consolidated Primary Election.** This item was carried over from the July 16, 2008 meeting. Commissioner Matthews MOVED that the Commission find that the June 3, 2008 Election substantially complied with the Elections Commission's approved Election Plan, with the exception of two specific areas: significant deviation of the pollworker manual regarding how voters were given the materials to vote; and there was deviation from the Election Plan in terms of how absentee ballots were extracted from their envelopes. Commissioner Townsend SECONDED the motion. President Gleason said that he wanted to add that he was disappointed that the Elections Commission was not made aware of the deviations in the plan before the election. The Roll Call Vote was UNANIMOUS to approve the effectiveness of the June 3, 2008 Consolidated Primary Election Plan.

(d) **Discussion and possible action regarding preparations for the November 4, General Election.**[Gleason] President Gleason advised that this item will remain on every agenda until the November General Election. He asked if the Director will have the Election Plan ready for the Commission on September 19, 2008. Director Arntz responded that the complete plan would not be available because the voting system would not be in place until early October. He said he will be able to present a plan that will be "mostly complete" but there will be adjustments as the Department gets closer to the election. The Director said that he can give the Commission notices and announcements after the September 19th date for the Commission's consideration. President Gleason reminded the Director that in the past the Commission has always had provisions for changes, as long as they are posted and public disclosures are made to the Commission.

Commissioner Phair suggested that the February 18, 2004 Elections Commission resolution

that the Election Plan be given to the Commission 75 days prior to Election Day be modified to a time period that is more reasonable to the Department. He suggested that 60 days would be more reasonable.

Commissioner Matthews said that he would be agreeable to discussion regarding a new time period at a future meeting.

This Item is CARRIED OVER to the next meeting.

9. New Business

- a. **Discussion and possible action to approve the Minutes of the July 19, 2008 Commission Meeting.** Commissioner Townsend requested a vote to excuse him from voting on this item because he was absent at the meeting. He requested that Deputy City Attorney check and advise him of the procedure if a Commissioner who is not present at a meeting in which the minutes are being voted for approval must still vote. Commissioner Townsend MOVED and Commissioner Matthews SECONDED that Commissioner Townsend be excused from voting on these minutes. The Roll Call Vote to EXCUSE Commissioner Townsend from voting on this item was UNANIMOUS.

The Roll Call Vote to approve the minutes was UNANIMOUS.

- (b) **Discussion and possible action regarding status of Sequoia Voting Systems equipment certification for Ranked Choice Voting (RCV) use for the November 4, 2008 Consolidated General Election.** [Gleason] President Gleason MOVED to carry this item over to the next meeting because the Director has given the Commission an update of the status during his Director's Report at this meeting. Commissioner Safont SECONDED.

This item was CARRIED over to the next Commission meeting.

- (c) **Discussion and possible action regarding final draft of response to 2007-2008 Civil Grand Jury Report: *A Year of Five Elections for the City/County of San Francisco* (released July 3, 2008)** [Matthews] Commissioner Matthews called the Commission's attention to draft three of the response that is in the meeting packet. He explained that he included the amendments from the last meeting with the exception of page 8(c)3 on which he removed the word "with", and he has not received any additional changes from members. Commissioner Matthews MOVED and Commissioner Safont SECONDED approval of the response. Commissioner Phair asked that the word "jury" be capitalized throughout the response.

The Roll Call Vote to approve the response with the minor corrections from Commissioner Phair was UNANIMOUS.

- (d) **Discussion and possible action to adopt a policy on favoring paper balloting over other forms.** (Matthews)

Commissioner Matthews asked Deputy City Attorney Lee whether this document of policy constitutes a legitimate exercise of policy as opposed to infringing on the day-to-day operations of the Department.

Deputy City Attorney Lee said that she had reviewed the policy and that it appears to be a legitimate policy.

Commissioner Townsend said he had concerns regarding "setting anything in stone" because he doesn't know what the future may bring technologically. He said it appears to him that the Commission is making a decision that should be in the voter's hands.

Commissioner Safont said that at the last meeting she had concerns, but now that she has had more information about the Sequoia DRE voting machines, the possible problems that might occur and that it is not meant to be used other than by voters with disabilities who would be able to vote using them, she sees nothing wrong with making a policy about the issue of using paper ballots. She said that if the technology improves, the policy can always be changed at that time.

Commissioner Matthews MOVED and Commissioner Safont SECONDED approval to adopt this policy.

Public Comment. *Chandra Fries* said, as a voter, and for the record, she prefers a paper ballot. *Roger Donaldson* said, as a voter, he prefers a paper ballot and is very pleased to see this become an official policy and commends Commissioner Matthews for putting this resolution together. *Derek Turner* said that he also supports the policy and that this is why we have an Elections Commission because every policy question cannot be put to the voters. He said voters need the Commission to represent them. *Carol Dietrich* said she wants to weigh in on the subject and that she is in favor of paper ballots.

The Roll Call Vote was: Commissioner Matthews – yes, Commissioner Safont – yes, Commissioner Phair – yes, Commissioner Townsend – no, and President Gleason – yes. THE MOTION CARRIED.

9. **Discussion regarding items for future agendas.** Commissioner Safont suggested the Commission calendar discussion for replacement of Vice President Jennifer Meek. Commissioner Matthews requested that the Commission hold a hearing, a separate meeting, on the issue of privatization and its implementation regarding what was formerly public in-house duties that are now being done under contract with corporations. Commissioner Matthews proposed this be done in December or January.

ADJOURNMENT at 8:07 pm.

Elections Commission

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September 3, 2008**Elections Commission Meeting****Wednesday, September 3, 2008****At 6:00 pm****City Hall Room 421****Order of Business****GOVERNMENT
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1. **Call to Order & Roll Call**
2. **Announcements**
3. **Public comment on any issue within the Elections Commission's general jurisdiction**
4. **Director's Report**

• Preparations for November 4, 2008 General Election
• Status of voting system certification for Ranked Choice Voting
• Plans and Policies for November 4, 2008 Election:
• Detailed Explanation of Voting System Methods and Process for casting and tabulation of ballots to be utilized for the November 4, 2008 General Election

5. Commissioners' Reports

- Meetings with public officials
- Oversight and Observation activities
- Long-range planning for Commission activities and areas of study

6. Old Business

- a. **Review, discussion and possible action regarding Elections Commission member roles and activities related to observation and evaluation of public elections. [Gleason]**
- b. **Discussion and possible action regarding preparations for the November 4, General Election.[Gleason]**

The following is
a list of the

names of the

persons who
have been

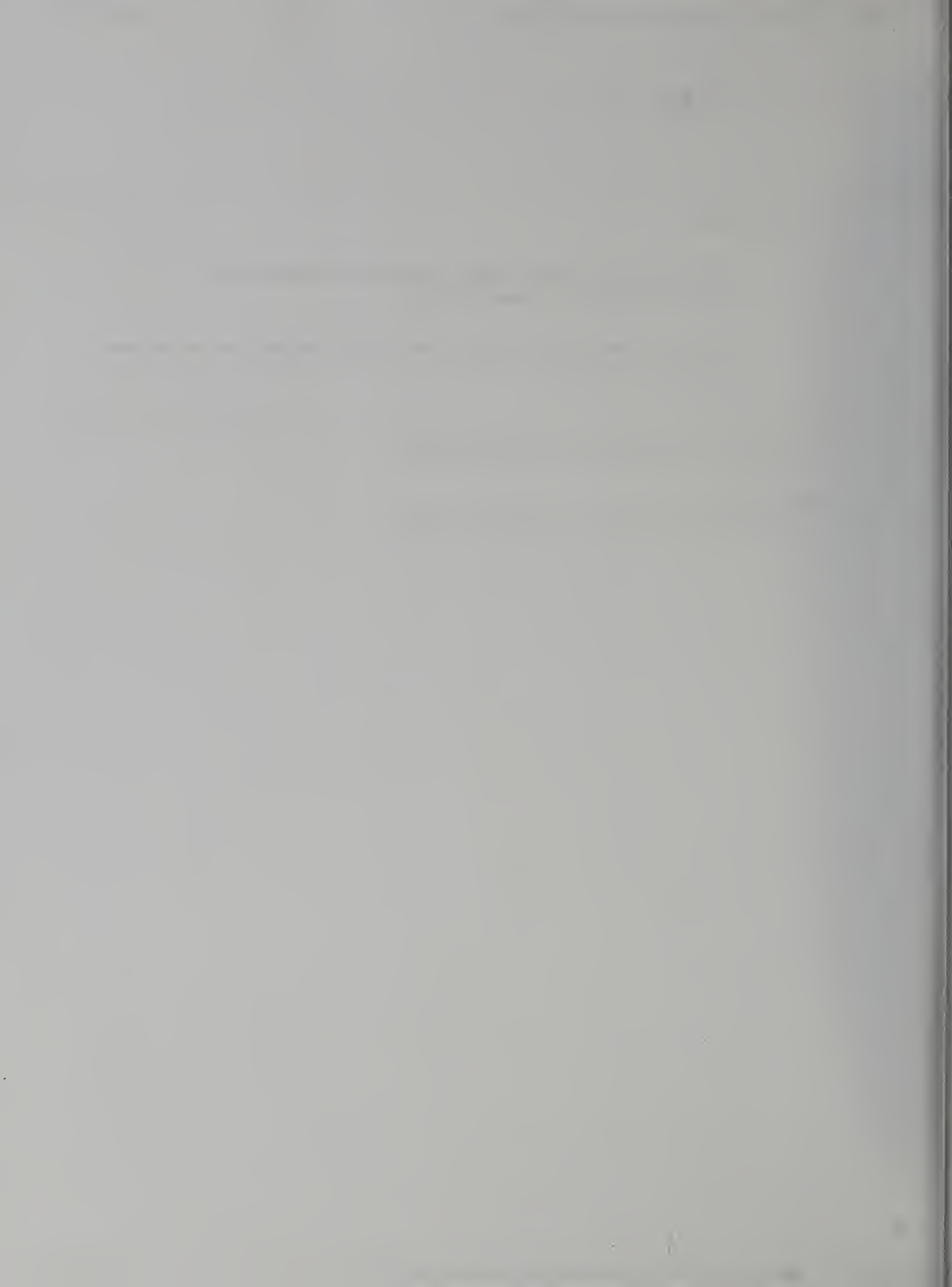
7. New Business

- a. Discussion and possible action to approve the Minutes of the August 20, 2008, Commission Meeting.
- b. Discussion and possible action to elect a Vice President for the Elections Commission. [Gleason]

8. Discussion regarding items for future agendas

Adjournment

Complete Meeting Packet for September 3, 2008



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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.

Elections Commission

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September 3, 2008

City and County of San Francisco

Elections Commission

Approved: 09/17/08

Minutes of the Meeting held

City Hall, Room 421

September 3, 2008

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1. President Gleason called the meeting to order at 6:12 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Joseph B. Phair, Rosabella Safont, Deputy City Attorney Mollie Lee and Director John Arntz. **EXCUSED:** Commissioners, Winnie Yu and Arnold Townsend.
3. **Director's Report**

Preparations for November 4, 2008 General Election. Director Arntz reported that the ballots for November are being printed, and the mailing of overseas ballots will begin on Friday. The Pollworkers Division staff has returned and have starting recruiting pollworkers. The Poll Location Division is seeking thirteen more sites and the Phone Bank is being staffed.

President Gleason requested that the Director explain issues related to the voting system, precinct operations and ballot counting for the up coming election in particular how the voting equipment (the Insight and the Edge) are to be used this November compared to how they were used in the last two elections in February and June 2008.

President Gleason asked the Director if the reason for the new recertification of the system and different procedures and requirements for ballot processing was because there will be ranked choice voting (RCV) in November. Mr. Arntz replied that this was the case and said that the current version of the software (or data base) than runs the voting system is 3.0 and doesn't have the RCV component that Sequoia Systems wants to bring forward for certification. There is a 4.0 version which incorporates RCV and is certifiable.

President Gleason asked if the proposed certification would require a ballot remake process for just the RCV contest portions of the ballot. Director Arntz replied that the entire ballot will be remade for all ballots cast on touch screen voting machines because state law requires that touch screen voting equipment pass federal certification before it can be used in California, and

since the 4.0 has not completed this certification process, the touch screens that have the 4.0 cannot be used to tally votes in California. Therefore, every vote cast on the touch screens has to be remade onto a paper optical scan ballot and then read into the optical scanning equipment which is expected will be conditionally certified by the state. The Director further explained that the requirement to remake ballots is specific only to ballots cast on touch screen machines, optical scan ballots would be processed and counted as they had been in February and June, with the addition of RCV capability.

President Gleason asked if the Insight's tape would be posted at the end of Election Day at polling sites. Director Arntz replied that this was true, however there will not be a tally report of the Edge touch screen at the end of Election Day in November.

Commissioner Matthews asked if the Commission would be able to see the number of voters who used the touch screen equipment. Director Arntz said that the information would be available from the remake process, as the touch screen equipment's remakes will be separated from the other ballots.

President Gleason asked if ballot remakes would be made from the paper tape portion of the touch screen equipment. Director Arntz said this was correct.

President Gleason asked if the only information reported on printed tally tapes at the precincts in an RCV election is the first choice. Director Arntz replied that this is correct.

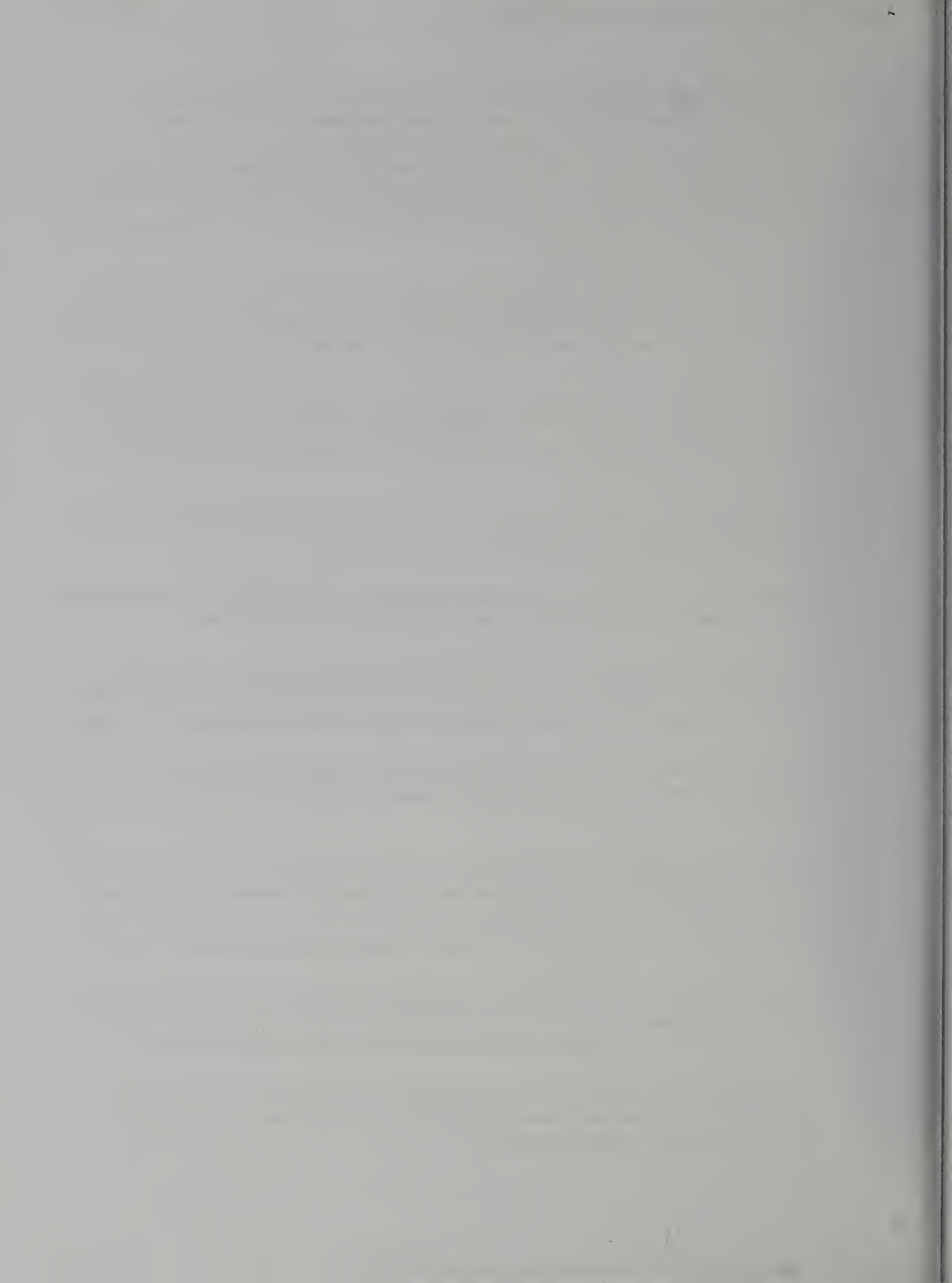
Commissioner Matthews asked how many ballot cards there would be for the November General Election. Director Arntz replied that there would be three cards for the four non-RCV districts and the other seven districts will have four cards because they will have RCV voting.

Director Arntz said that the hearing with the Secretary of State (SoS) will be held on September 26, 2008, after which there will be a seven day period for additional public comment.

Commissioner Matthews asked if the certification is approved will there still be a hand tally of the touch screen votes. Director Arntz answered that from the information he has received from the SoS, for the November 2008 election no votes may be tallied directly from the touch screen machines. Those votes will be remade and then read by the optical scan machines.

President Gleason asked the Director if he could think of anything that the Commission could do to assist in preparations for the November General Election. Director Arntz responded that it is too early to tell, but it appears that the Department is making ample preparations.

Public Comment. Roger Donaldson stated that he is having trouble understanding the procedures for the November General Election and doesn't understand why the tape isn't going to be posted outside polling places.



4. Old Business

a. Review, discussion and possible action regarding Elections Commission member roles and activities related to observation and evaluation of public elections.

[Gleason] The President said that this item is a continuing one on all agendas until the upcoming election. He said that it is his intention to work, as he has in the past, as a pollworker, and he will attend the last training session for inspectors, the Saturday before election day.

Commissioner Matthews MOVED and President Gleason SECONDED that each Commissioner be authorized by this Commission to observe any and all pollworker training for the November 4, 2008 Election and each Commissioner will inform the Department of the dates and times of these observations.

The Roll Call Vote was UNANIMOUS.

b. Discussion and possible action regarding preparations for the November 4, 2008 General Election.

[Gleason] The President said that this item is a continuing one on all agendas until the upcoming election. He asked if any Commissioner had a concern to discuss. Commissioner Phair asked if the policy that the Director present the Election Plan to the Commission 75 days prior to an election was an unreasonable length of time. Commissioner Phair said that a review of past election plan presentations shows that the Election Plan has been presented much later. Director Arntz suggested that 55 days would be a more reasonable goal for the Department. Commissioner Phair MOVED and Commissioner Matthews SECONDED that the Department of Elections present to the Commission fifty-five days prior to an Election the Election Plan. Commissioner Matthews asked the Director if the boiler plate that the Commission had developed was helpful or would he like to propose another format that would be more comfortable for the Department. The Director said that the present format works and he wants to use it for this November but he will notify the Commission if he has suggestions for changes in the future.

The Roll Call Vote was UNANIMOUS to change the number of days prior to an election that the Election Plan is to be presented to the Commission from 75 days to 55 days.

5. New Business

a. **Discussion and possible action to approve the Minutes of the August 20, 2008, Commission Meeting.** Commissioner Matthews MOVED and Commissioner Safont SECONDED approval of the minutes with corrections. Commissioner Matthews brought

two corrections to the attention of the Commission: (1) Bottom on page 3, last sentence in last full paragraph, "The Director reminded the Commission", to be changed to "informed" the Commission; and on page 7 at section 8(c) to strike "taking note of" and replacing with "with the exception of". Other minor typos were approved.

The Roll Call Vote was UNANIMOUS to accept the minutes with the changes discussed.

b. Discussion and possible action to elect a Vice President for the Elections

Commission. Commissioner Matthews nominated Commissioner Joseph B. Phair for Vice President of the Elections Commission. Commissioner Safont seconded the nomination. The Roll Call Vote was UNANIMOUS to elect Commissioner Phair as Vice President.

6. **Discussion regarding items for future agendas.** Vice President Phair said that at the last BOPEC (Budget and Observation of Public Elections Committee) meeting, the task of finding a focused and simplified process for evaluating elections was discussed and that he has a first draft that needs to be discussed at the next BOPEC meeting. The two BOPEC members present at tonight's meeting agreed to hold a Special meeting of the committee within the next few weeks and will contact the Commission Secretary with proposed dates.

ADJOURNMENT at 7:03 pm.

Elections Commission

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September 17, 2008

Elections Commission Meeting
Wednesday, September 17, 2008
At 6:00 pm
City Hall Room 408

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Order of Business

1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction
4. Director's Report

• Preparations for November 4, 2008 General Election
• Status of voting system certification for Ranked Choice Voting
• Plans and Policies for November 4, 2008 Election:
• Detailed Explanation of Voting System Methods and Process for casting and tabulation of ballots to be utilized for the November 4, 2008 General Election
• Plans for safeguards in place for mailing of absentee ballots that are outsourced to Sequoia Voting Systems for November 4, 2008 Election.

5. Commissioners' Reports

- Meetings with public officials
- Oversight and Observation activities
- Long-range planning for Commission activities and areas of study

6. New Business

- a. Discussion and possible action to approve the Minutes of the September 3, 2008, Commission Meeting.
- b. Discussion and possible action to commend the Ballot Simplification Committee and Deputy City Attorney Mollie Lee for their work on the upcoming

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November 4, General Election. [Matthews]

- c. Discussion and possible action to approve the Election Plan for the November 4, 2008 General Election.
- d. Discussion and possible action regarding preparations for the November 4, 2008 General Election.
- e. Discussion and possible action regarding Commission member activities and observations regarding November 4, 2008 General Election.
- f. Discussion and possible action regarding criteria for Commission post-election evaluation of election plans and conduct of election.
- g. Discussion and possible action regarding Commission outreach activities and re-establishing a Commission outreach committee. [Gleason]

7. Discussion regarding items for future agendas**Adjournment**

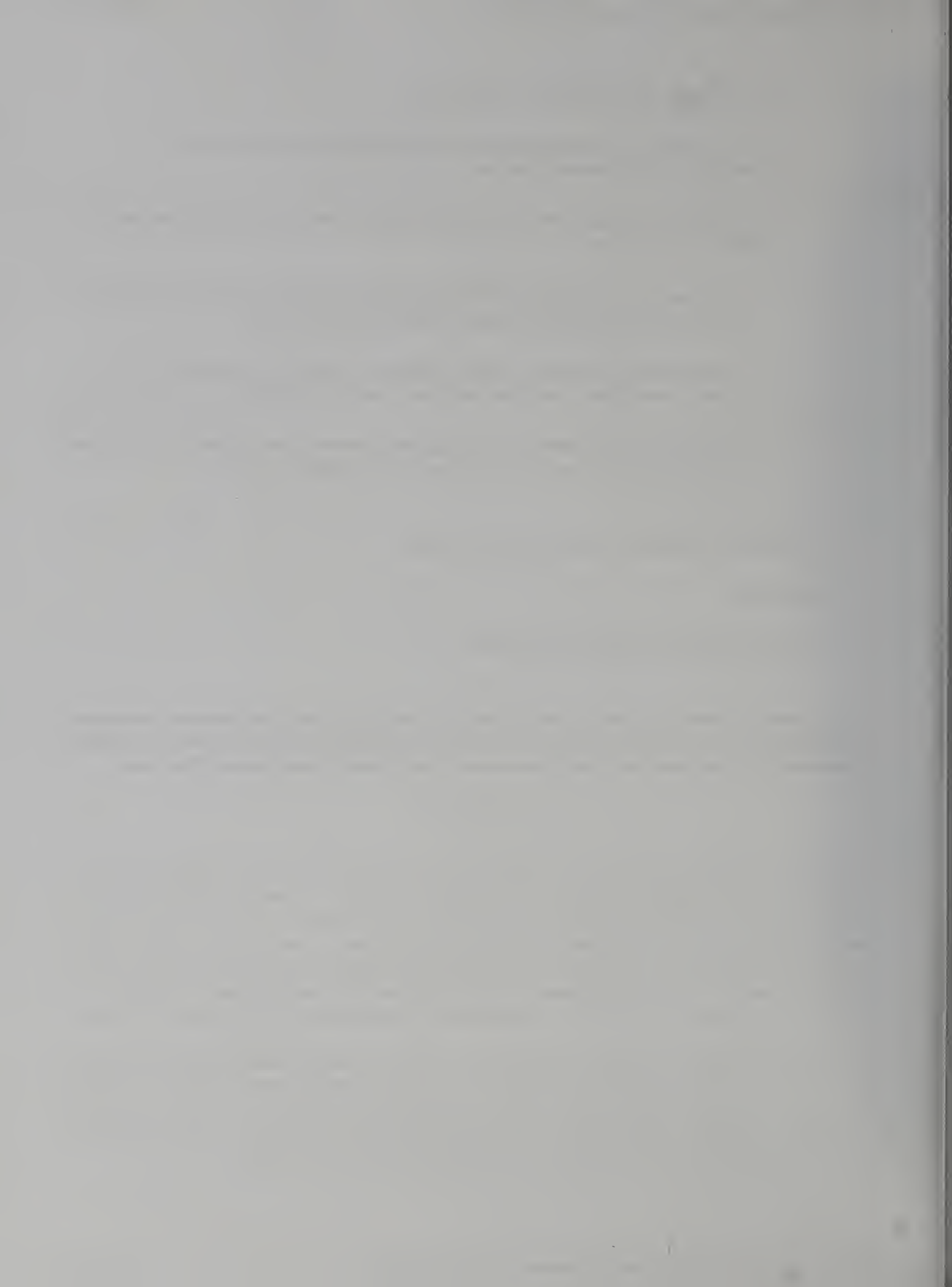
Complete Commission Packet for this Meeting

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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, or chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, board councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Ordinance Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at a meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activities. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.



ITEM 6. (c),

The current draft of the November 4, 2008 Election Plan follows.

Please be advised that this draft is as of September 11, 2008

(1882)

THE JOURNAL OF THE
ROYAL ANTHROPOLOGICAL INSTITUTE



Draft Election Plan
City and County of San Francisco
Consolidated General Election

November 4, 2008

I. Introduction

The San Francisco Department of Elections (DOE) must:

"...Conduct all public federal, state, district and municipal elections in the City and County. [This includes] voter registration; the nomination and filing process for candidates to City and County offices; the preparation and distribution of voter information materials; ballots, precinct operations and vote count; the prevention of fraud in such elections; and the recount of ballots in cases of challenge or fraud."

(San Francisco Charter, sec. 13.104)

Organizing and running an election in the City and County of San Francisco requires staffing of 561 polling places. Sites must be located and precinct workers recruited and trained for each precinct. Voter information pamphlets and sample ballots must be prepared and distributed. Vote-by-Mail ballots must be sent to voters who have requested them or who are registered as permanent Vote-by-Mail voters. Additionally, in advance of the election, voting machines must be tested, and Deputy Sheriffs must be assigned and coordinated to pick up voted ballots for transport to the Department's warehouse on Pier 48 after the polls close. Ballots and equipment must be transported to each site and assembled. Poll workers are to arrive by 6:00 a.m. to set up the polling place, then at 7:00 a.m. start to process voters as they arrive. The pollworkers are to post and update a list of voters registered in the precinct who have voted on an hourly basis but not note the time or the hour. Once the polls close at 8:00 p.m., the poll workers must print a receipt tape for posting at the polling place.

At the close of voting, voted ballots must be removed from the Insight optical scan tabulator and the Red Box and readied for transport to the Department's warehouse on Pier 48. Pollworkers are to reconcile the number of unused ballots remaining with the number delivered to the precinct and the number used with the Posted Ballot Statement (PBS). A copy of the PBS must be posted outside polling place along with the Insight tape. Pollworkers must take down the voting booths and ready the equipment and supplies for later pick up.

The pollworkers will remove the memory devices from the Insight and the Edge II touch screen and ready them for retrieval by Parking Control officers from the Department of Parking and Traffic and then transported to City Hall. The ballots and Voter Verified Paper Audit Trail (VVPAT) machines will be taken to the Department's Processing Center at Pier 48.

Sheriff's deputies will also obtain the Provisional and Vote-by-Mail ballots that have been dropped off at a polling place and transport these items to the Department's "Processing Center" on Pier 48 and the deputies will escort the transport of these ballots



THE
OFFICE OF THE
SECRETARY OF THE
NAVY
WASHINGTON, D. C.

MEMORANDUM FOR THE SECRETARY OF THE NAVY
SUBJECT: [Faint text, possibly related to a ship or fleet operation]

[Several paragraphs of faint, illegible text follow, appearing to be a formal report or memorandum.]

[Additional paragraphs of faint, illegible text at the bottom of the page, possibly including a signature block or distribution list.]

to the Department's office in City Hall the day after the election. Department staff are to process all Provisional and Vote-by-Mail ballots to determine whether it is to be accepted or challenged. Challenged ballots are neither opened nor counted whereas accepted ballots are opened, extracted and prepared for tabulation. California election law allows 28 days following an election for the election official to conduct the official canvass and certify the election results.

Between elections, DOE must conduct voter file maintenance of the following to ensure the voter rolls are current and as accurate as possible. This maintenance includes:

- Purging of deceased individuals;
- Purging of duplicate registrations;
- Purging of individuals in prison or on parole for the conviction of a felony;
- Purging of voters who have moved out of county; and
- Cross-checking our files with those of the Secretary of State.

II. Governing of Election

The upcoming election shall be governed in accordance with:

- California Election Code;
- San Francisco Municipal Elections Code and applicable Charter Amendments;
- United States Voting Rights Acts (1965)
- United States Help America Vote Act (2002)
- United States Americans With Disabilities Act (1990);
- Previously established administrative procedures which the San Francisco Department of Elections and the Director of Elections deem to be best practices.

III. New Practices

Ballot Transfers

The Field Election Deputies will visit each polling place to determine if the number of cards inserted into an optical scan machine at the precinct requires the bins holding the voted cards to be emptied. The FEDs will open the doors beneath the optical scan machines to access the ballots in the bins, place the ballot cards in a plastic bag, seal the bag, and place the bag in the red box used as a ballot storage box for the returned voted and surrendered vote-by-mail ballots, provisional and spoiled ballots. The FEDs will then reseal the red box. One scheduled transfer will occur at approximately 130 precincts between 2 p.m. and 4 p.m. Two scheduled transfers will occur at approximately 265 precincts, the first between 10 a.m. and 12 p.m. and the second between 2 p.m. and 4 p.m. A tent card alerting voters to these transfers will be placed on the tables with the ballots at the polling places.

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DEAN OF THE FACULTY

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Possibly Remaking votes from the VVPATs onto Paper Ballots

Should the Secretary of State's conditionally certify the Sequoia touch screen machines for ranked-choice voting for this November, one requirement may be the Department having to transfer votes recorded on the VVPATs onto paper ballots. The votes on the paper ballots will then be tabulated using the 400-C optical scan machine located in the Department's computer room in City Hall. In early October the SOS will determine if the Sequoia system can be used in San Francisco to conduct the November election. Since no tallying of votes will occur at the polls, the pollworkers will not transcribe touch screen results onto tally sheets for posting at the end of the night. The Department will require pollworkers to indicate the number of voters who used the touch screens on the Posted Ballot Statement which is posted at each polling place after the polls close. As in previous elections, the VVPATs will be transported to the Department's warehouse on Pier 48 by the Deputy Sheriffs for eventual transfer of the votes onto paper ballots.

District Leads Trained as Techs

To allow for a greater technical assistance in the field, the District Leads who provide material assistance to the polling places will be given technical training for the voting equipment. This will allow the District Leads to evaluate machine issues and resolve most common voting machine issues such as paper jams. Further, Sequoia will field 28 technicians also trained to evaluate and resolve voting machine issues. These technicians will now drive themselves rather than accompany the District Leads. This approach increases the number of people in the field who can respond to calls about machine issues, allowing the Department to resolve issues more quickly. The District Leads and the Sequoia Technicians will carry optical scanners, card activators, audio keypad and VVPATs. The equipment will be sealed and appropriately accounted for in custody forms. Any transfer of equipment from the District Leads and Sequoia Technicians to a polling place will also be reflected on custody forms.

Ballot Deliveries

The Department will have Field Election Deputies (FEDs) deliver ballots to the polling places during the early-morning hours. The number of cards required for the polling places is such that Inspectors could not practically carry the cards to their polling sites. Precincts will have up to six boxes of cards, and since each box of ballot cards weighs 17 pounds, Inspectors would need to transport over 100 pounds of ballot cards on the morning of the election.

Election Summary:

9. The following elective offices listed on the ballot:

U.S. President and Vice-President

U.S. Representative in Congress - Districts 8 and 12

State Senator – District 3

State Assembly – Districts 12 and 13

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Superior Court Judge, Seat 12

San Francisco Board of Supervisors, Districts 1, 3, 4, 5, 7, 9, and 11

Bay Area Rapid Transit, Board of Directors, Districts 7 and 9

San Francisco Board of Education

San Francisco Community College Board

10. The following local measures are listed on the ballot:

Bond

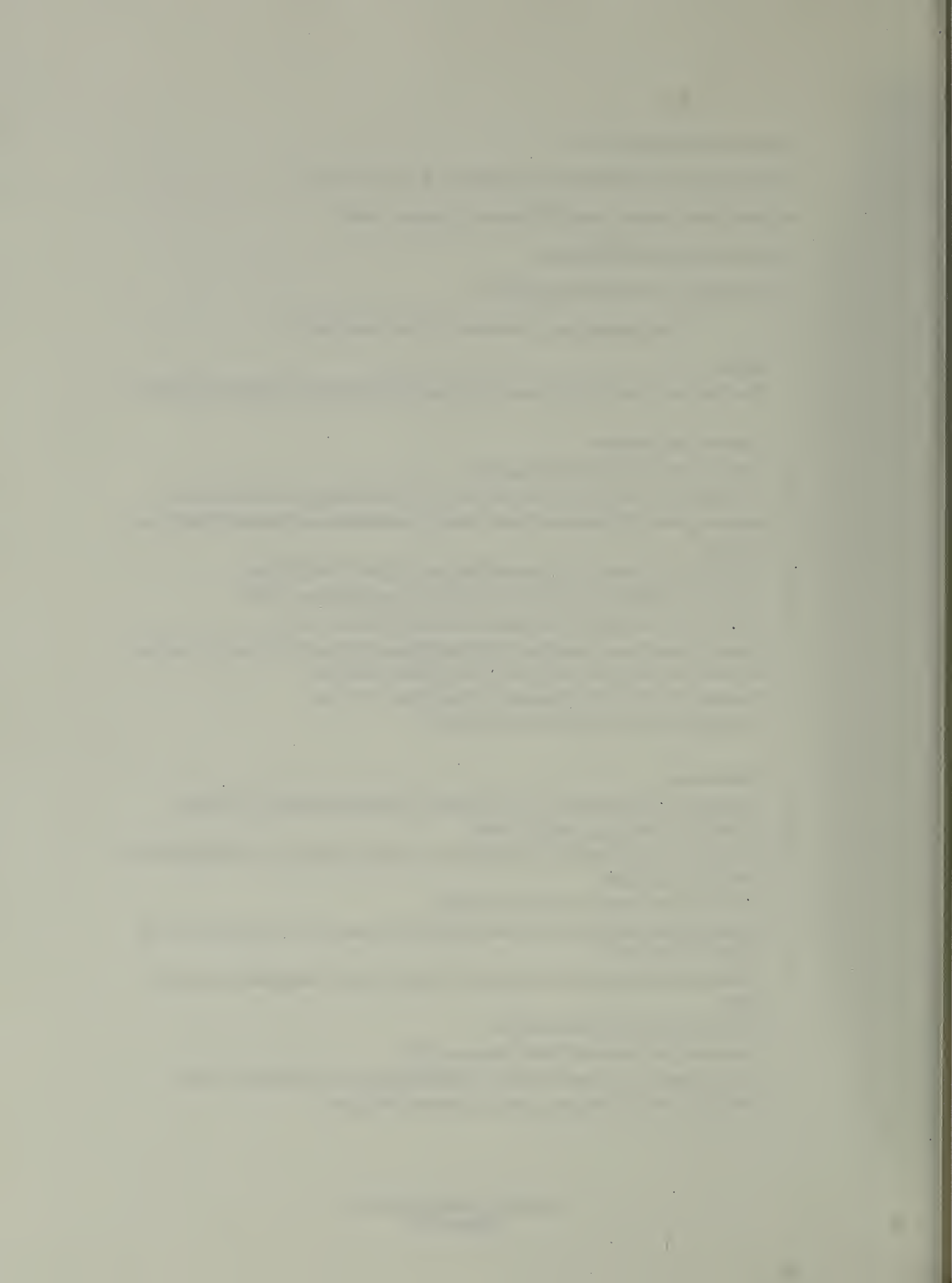
- A. San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

Charter Amendments

- B. Establishing Affordable Housing Fund
- C. Prohibiting City Employees from Serving on Charter Boards and Commissions
- D. Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval
- E. Changing the Number of Signatures Required to Recall City Officials
- F. Holding All Scheduled City Elections Only in Even-Numbered Years
- G. Allowing Retirement System Credit for Unpaid Parental Leave
- H. Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities
- I. Creating the Office of an Independent Rate Payer Advocate
- J. Creating a Historic Preservation Commission

Ordinances

- K. Changing the Enforcement of Laws Related to Prostitution and Sex Workers
- L. Funding the Community Justice Center
- M. Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords
- N. Changing Real Property Transfer Tax Rates
- O. Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone User Tax
- P. Changing the Composition of the San Francisco County Transportation Authority Board
- Q. Modifying the Payroll Expense Tax
- R. Renaming the Oceanside Water Treatment Plant
- S. Policy Regarding Budget Set-Asides and Identification of Replacement Funds
- T. Free and Low-Cost Substance Abuse Treatment Programs



Declarations of Policy

- U. Policy Against Funding the Deployment of Armed Forces in Iraq
- V. Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools

3. Voter Registration: 430,800 as of September 2, 2008

Number of precincts: 580

Of the 580 precincts, 19 are mail-in only.

5. Number of pollworkers required: Approximately 2,900

For the November 4, 2008 Consolidated General Election our goal is to recruit approximately 2,900 pollworkers. The DOE will staff each polling place with five pollworkers: one Inspector and four Clerks. The DOE will recruit 561 Inspectors and 2,244 Clerks. In addition to the approximately 2,800 pollworkers assigned to the precincts, the DOE will recruit 60 stand-by Inspectors and pollworkers, who will be stationed at City Hall and dispatched as needed on Election Day.

It is the DOE's plan to expand our services to voters who need language assistance on Election Day and exceed the 3% standard imposed by California Elections Code, Chapter 4, Article 1, Section 12303 (b)-(c). We will place Chinese- and Spanish-speaking pollworkers at precincts as follows:

- At least one bilingual pollworker in every precinct where 10 or more registered voters have requested election material in Chinese or Spanish;
- At least two bilingual pollworkers in every precinct where 75 or more registered voters have requested election material in Chinese or Spanish; and
- Three to four bilingual pollworkers in every precinct where 120 or more registered voters have requested election material in Chinese or Spanish.

In addition to the aforementioned bilingual pollworkers, the Department further targets precincts that may require language assistance by placing Chinese- and Spanish-speaking pollworkers in every precinct where 25 or more registered voters were born in Chinese- and Spanish-speaking countries. In summary:

- 340 precincts (61% of 561 polling places) will be staffed with Chinese-speaking pollworkers (450 pollworkers total); and
- 105 precincts (19% of 561 polling places) will be staffed with Spanish-speaking pollworkers (105 pollworkers total).

6 Voting equipment to be used: At precincts, the Insight and Edge II will be used at the polling places and the 400-C will be used in City Hall to primarily count Vote-by-Mail ballots.

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7. Number of Permanent Vote-by-Mail Voters: approximately 153,087 as of September 2, 2008.
8. Ballots:
 - There will be 44 ballot types, based on the various jurisdictional boundaries that include San Francisco;
 - Each voter will receive three ballot cards; in seven Districts voters will receive four cards, the additional card will contain the ranked-choice voting contest for Supervisor
 - The ballots will be trilingual: English, Chinese and Spanish.
 - English Voter Information Pamphlets will be mailed by October 6, which is 29 days before the election as stipulated by Municipal Elections Code section 500.
 - Chinese and Spanish Voter Information Pamphlets will be mailed beginning on October 20.

Critical Dates and Deadlines

- Candidate Filing Deadlines
 - Nomination Filing Deadline: August 8, 2008 at 5 p.m.
 - Write-in Candidate Filing: October 21, 2008 at 5 p.m.
- Ballot argument deadlines:
 - Proponent/Opponent Arguments: August 25, 2008 by Noon
 - Rebuttal to Proponent/Opponent Arguments: August 18, 2008 by Noon
 - Paid Ballot: August 18, 2008 by Noon
- Public Inspection period of Ballot Digests, Financial Analyses and Ballot Questions: August 12 – August 22 by Noon
- Public Inspection period of Proponent and Opponent Arguments: August 15 – August 25. Noon
- Public Inspection period of Rebuttal Arguments: August 19 – August 29, 2008 by Noon
- Public Inspection period of Paid Arguments: August 19 – August 29, 2008 by Noon
- Begin mailing ballots for overseas voters: September 5, 2008
- First day for Early Voting: October 6, 2008 from 8 a.m. to 5 p.m. Early voting on weekends begins October 18 and 19, October 25 and 26, and November 2 and 3, from 10 a.m. to 4 p.m.

- First day for mailing Vote-by-Mail ballots: October 6, 2008
- Deadline for Voter Registration: October 20, 2008
- Last day to mail Voter Information Pamphlet: October 6 but mailings can begin as early as 40 days prior to election, i.e. September 25, 2008
- Last day to request Vote-by-Mail ballot be mailed: October 28, 2008 at 5:00 p.m.
- First day processing Vote-by-Mail ballots: October 24, 2008
- Election Day: November 4, 2008 from 7 a.m. to 8 p.m.
- First day of processing Provisional ballots: November 5, 2008
- Deadline for Certification of Election: December 2, 2008.

VI. Security and Distribution of Ballots Before and On Election Day

1. Vote-by-Mail Ballots

Vote-by-Mail ballots are sent from the printer to a mail house in San Leandro where the ballots are assembled with the inserts included in all Vote-by-Mail ballot envelopes for mailing. Permanent Vote-by-Mail ballots will be delivered to the postal facility on Evans Street for mailing starting on October 6, 2008.

2. Vote-by-Mail Generic Ballots

- Unvoted Vote-by-Mail generic ballots will be secured in Room 59 at City Hall.
- Permanent Vote-by-Mail ballots: Mailing begins October 6, 2008. Follow-up Vote-by-Mail ballot requests will be mailed as requests arrive to the Department.
- Location of secured, returned, voted Vote-by-Mail ballots
 - All early voted ballots will be secured in the Department's office at City Hall Room 48.

3. Precinct Ballots/Precinct Generic Ballots

Unvoted precinct and precinct generic ballots are staged in Brooks Hall and distributed to polling place Inspectors from Bill Graham Civic Auditorium located across from City Hall on Grove Street. Precinct ballots will be distributed to the polling place Inspectors upon their completion of training classes beginning starting Wednesday, October 29, 2008. If Inspectors cannot pick up their ballots after training class, the Department may deliver the cards to their residences.

4. Securing Voted Ballots during Election Day

For this election, Field Election Deputies will transfer voted ballots from the optical scan machines to the red ballot box at most precincts.

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VII. Transporting and Securing Precinct Ballots after the Polls Close on Election Day

The Sheriff's Deputies will retrieve the voted and unvoted ballots from the polling sites and transport them to the Department's Processing Center on Pier 48. At the Processing Center the voted and unvoted ballots will be separated and accounted for and the Department will begin readying the voted Vote-by-Mail and Provisional ballots for transport to City Hall for tallying.

VIII. Ballot Processing

1. Vote-by-Mail Ballots and Early Voting Ballots

In San Francisco, a Vote-by-Mail ballot is placed into the return envelope, which the Vote-by-Mail voter must sign. The envelope also has a label with the voter's name and address printed on it. Upon receipt at DOE, the signature on the Vote-by-Mail ballot envelope is compared to the voter's signature on the affidavit of registration on file (Cal. Elec. Code Sec. 3019), and the voter is noted in the database as having voted. Properly submitted ballots are then sorted by precinct.

Bins of sorted Vote-by-Mail ballots are then opened by a worker who slides the envelope through a slicing machine, extracts the ballot and places them in stacks. Throughout this period, the side of the envelope with the voter's identifying information is kept facing downward so as to protect the voter's privacy. Extracted ballots are then delivered to the Central Count location in City Hall.

If a voter's Vote-by-Mail ballot is received more than approximately ten (10) days prior to the election, the polling place Roster will reflect this. If the voter has requested a Vote-by-Mail ballot, this too will be noted in the roster and the voter will have to surrender the Vote-by-Mail ballot before being allowed to vote or the voter will have to cast a Provisional ballot.

- The Department of Elections begins processing Vote-by-Mail ballots after the mailing of Permanent Vote-by-Mail ballots on October 6, 2008 by reviewing the signatures on the envelopes upon their arrival and the Department can begin opening the envelopes to seven business days before the election – October 24.
- For this election, Vote-by-Mail ballots are to be processed at the Central Count location in the Department's computer room in City Hall using the 400-C machines. After the ballots are verified, the Ballot Distribution division receives the accepted ballots. The ballot envelopes are then sorted by precinct number, opened, and extracted in Room 59 in City Hall. Once the ballots are removed, they are prepared for counting in the DOE Computer Room; header cards are placed between each precinct and log sheets are completed for each box of voted ballots. When ballots are moved from Room 59 to the Computer Room, a transport log is used to ensure the chain of custody. During ballot counting, any ballot that cannot be processed by the 400-C machine is set aside for manual review and remake if required. The 400-C machines also separate write-in ballots which will require manual review and tally.

During the canvass process, any auxiliary bin ballots are also reviewed. Once the Department determines during the canvass – or the reconciliation and review of all election materials sent to the polling places – that the auxiliary bin ballots have not been counted by the Insight on Election Day at the polls, the ballots are transported to the Central Count location at City Hall. They are then processed through the 400-C machine, similar to the way Vote-by-Mail and Provisional ballots are counted.

- Date to begin processing precinct ballots (Election Day) and Vote-by-Mail ballots delivered to the polling places: November 5, 2008.
 - At the polling places, Vote-by-Mail voters will place their voted ballots into the red ballot box. After delivery to City Hall, the ballots will be sorted by precinct number and then processed by the 400-C machine. A transport log is to be completed when ballots are moved from one location to another as well as on processing room to another to ensure the chain of custody. During the ballot count, any ballot that cannot be processed by the 400-C is set aside for remake, similar to the way Vote-by-Mail and Provisional ballots are processed for remake.

2. Precinct Ballots

Precinct ballots are scanned at the polling places after voters place their voted ballot cards into the Insight machines. The vote tallies are stored in the memory pack in each Insight. Also, precinct ballots voted by using the Edge II touch screen are stored on a memory device. The memory pack from the Insight and the memory card from the Edge II will be retrieved by Parking and Control Officers from the Department of Parking and Traffic and transported to City Hall. The memory pack information from the Insights will be uploaded into the tabulation database; however, the information from the Edge memory device will not be uploaded for this election and used as official tallies. The paper ballots and VVPAT will be transported to Pier 48 by Deputy Sheriffs and the votes recorded on the VVPAT will be made onto paper ballot cards at Pier 48.

3. Provisional Ballots

San Francisco will use 44 ballot types for this election, owing to the effect of the various jurisdictional boundaries for elected offices. As addressed elsewhere in this document, if a voter votes outside of their assigned polling place, any contest(s) for which they are not eligible to vote, based on their registration, will not be counted.

Provisional envelopes contain the ballots of voters whose names did not appear on the roster of the polling place at which they voted.

Provisional ballots require individual adjudication in which a DOE employee compares the signature on the pink envelope to the voter's signature on the affidavit of registration on file. This process is performed by using registration database to identify the voter and determine whether the voter is registered and which ballot type the voter should have voted according to the voter's current residential address. The database is programmed to compare whether the ballot type issued and the ballot type the voter is entitled to vote with is the same, in which case the candidates and measures will be counted for the entire ballot. The "Help America Vote Act" (HAVA) and California Election Code Section 14310 (3)(b) states, "If the ballot cast by the voter contains candidates or measures on which the voter would not have been entitled to vote in his or her assigned precinct, the

elections official shall count only the votes for the candidates and measures on which the voter was entitled to vote in his or her assigned precinct." Provisional ballots are challenged and will not be counted for the following reasons:

- Identity of the voter cannot be determined;
- Envelope is not signed;
- Envelope is not sealed;
- No residential address provided;
- Signature does not compare or match to the voter registration on file;
- No ballot is enclosed; and/or
- The signature is printed.

Provisional voting on the Edge II will involve issuing the voter with a voter card that is activated for provisional voting only. The card activator will indicate a reference number on its display which will be noted by the pollworkers on the Provisional envelope. This number will be used to reference to that ballot during tabulation once accepted to be included in the election's tallied results.

4. Damaged and Remake Ballots

Under certain circumstances, when a ballot is lawfully cast but unreadable by the vote counting equipment, the Department of Elections must "remake" the ballot so it can be read and processed by the equipment. For example, ballots that are torn, bent, folded, dirty, damp or damaged must be remade. The remade ballot must reflect the voter's intent insofar as the voter's intent can be determined from the defective ballot. This process takes place in the Department's conference room from October 23 until November 6, and after November 6 will take place in City Hall Room 34 and the votes recorded on the VVPAT will be made onto paper ballot cards at Pier 48..

California Elections Code Section 15210 requires the Department to remake ballots when the voter used a pencil or pen that cannot be read by the vote counting equipment, or when the voter marked a sample or photocopied ballot rather than an actual ballot. Under certain circumstances, voters are permitted to use sample ballots and photocopied ballots when actual ballots are not readily available.

The original, unreadable ballot is called the "original." The duplicate ballot is called the "remake."

The remake process, like all aspects of ballot processing, is open to the public

Common Situations for Remaking a Ballot

The following is a list of the most common situations in which the Department of Elections remakes ballots:

- A portion of the ballot card is torn off;
- The ballot card is ripped;

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- The ballot card is bent, folded, creased or wrinkled;
- The ballot card is damp, dirty or sticky;
- The ballot card has ink smudges, eraser marks or eraser holes;
- The ballot has stray marks that could interfere with the ability of the equipment to count votes cast on the ballot; and/or
- The voter used a pencil or pen that cannot be detected by the vote counting equipment.

The Department of Elections determines when it is necessary to remake a ballot.

What are Examples of Incorrectly-Marked Ballots that are not Remade?

The following are examples of incorrectly marked ballots that are not remade by the Department of Elections (California Elections Codes § 15342 and 15208). These are votes that are not cast according to State law and for that reason the votes are invalid and may not be counted.

- The voter marked the ballot with a sticker or stamp to indicate the name of a write-in candidate;
- The voter wrote in the name of a qualified write-in candidate but failed to connect the head and tail or the arrow pointing to the space for write-in candidates; and/or
- The voter marked or signed the ballot so that the ballot can be identified by others as the voter's ballot.

What is the Process for Remaking Ballots?

All Vote-by-Mail and Provisional ballots (and any precinct ballot cards that were not inserted in and processed by an Insight machine at the polling place) are processed using the 400-C machine. If the Central Count 400-C machine segregates a ballot for any reason, the ballot must be reviewed by a Remake Team to determine whether a remake is necessary.

Each Remake Team consists of four members – two Screeners, and two Markers. Working together, the two Screeners review each ballot to determine whether a remake is necessary.

A ballot card must be remade if:

- The ballot card is torn;
- The ballot card is ripped;
- The ballot card is bent, folded, creased or wrinkled;
- The ballot card is damp, dirty or sticky;
- The ballot card has ink smudges;

- The ballot card has a stray mark in the "read path";
- The ballot card has eraser marks or eraser holes;
- The voter used a pencil or pen that cannot be detected by the vote counting equipment; and/or
- The voter failed to mark the ballot by connecting the head and tail of the arrow (as directed in the voting instructions) but instead used an incorrect mark, and used the same incorrect mark for every contest.

Examples of incorrect marks are:

- The voter circled the candidate's name;
- The voter circled part or all of the arrow;
- The voter underlined part or all of the arrow;
- The voter made an "X" through the arrow;
- The voter used the space provided for write-in candidates for each contest to write in the name of a candidate whose name is actually printed on the ballot;
- The voter marked the ballot by connecting the head and tail of the arrow next to the name of a single candidate, and in addition used the space provided for write-in candidates for the contest to write in the name of the same candidate and/or
- The voter marked the ballot by connecting the head and tail of the arrow next to the name of a single candidate, and connected the arrow next to the name of another candidate for the same office but then crossed out that mark.

If the Screeners have any questions about whether a ballot must be remade, they should address their questions to the Department of Elections manager supervising the remake process (the "Manager"). If a question cannot be resolved by reviewing this guide, the question must be resolved by the Manager in consultation with the Director of Elections.

The remade ballot must reflect the voter's intent. The two Screeners, again working together, must determine the voter's intent from the original ballot. If the Screeners have any questions about the determination of voter intent, they should address their questions to the Department of Elections Manager supervising the remake process. The question must be resolved by the Manager in consultation with the Director of Elections.

If the two Screeners determine that a remake is necessary and that the voter's intent is clear, the Remake Team should obtain a blank ballot that is the correct ballot type for remaking the ballot.

Working together, the two Markers must duplicate the votes cast on the original ballot on the remake ballot. The remake must reflect the intent of the voter, as determined by the Screeners. The Markers use ballot pens provided by the voting system vendor to ensure that the marks can be read by the vote count equipment.

The Markers must code both the original ballot and the remake with the following information:

- “AV” to indicate that the original was an Vote-by-Mail ballot;
- “PV” to indicate that the original was a Provisional ballot;
- Precinct number;
- Initials of the person marking the remake;
- Date the remake was made; and
- Number of the remake ballot in sequence number.

For example: For a Vote-by-Mail ballot, precinct number 3254, remade by MM on 06/04/08, where the remake was the first remake in a sequence starting with the number 001 (and continuing with 002, 003, etc...), both the original and remake would include the following coding:

AV 3254 MM 06/04/08001

The “remade” votes are placed onto a ballot clearly stamped “Duplicate.”

When is the Remake Process Completed?

The remake process continues until all ballots have been examined and, if necessary, remade. The remakes are then counted and tabulated by precinct by the 400-C equipment. All ballots must be processed, counted and tabulated within 28 days of the election.

5. Write-In Votes for the Insight

Throughout the write-in process, the procedures for Precinct Insight Ballots, Vote-by-Mail/Mail Ballots, Provisional Ballots and Auxiliary Bin Ballots are similar, but the cards are counted and stored separately.

After confirming that all cards with write-ins have been received (by comparing physical card counts for each precinct with the Insight and 400-C counts), segregate the non-RCV and RCV ballot cards by precinct and follow the procedures for each type of card.

Non-RCV Ballot Cards with Write-In Votes

- a. Teams of two screeners separate cards with valid write-in votes from those with no valid write-in votes. Any overvotes or write-in votes that are not for certified write-in candidates for that contest (or candidates listed on the ballot) are stamped “VOID” in red ink across the write-in name(s).
- b. After all of the non-RCV ballot cards with write-in votes have been reviewed and separated, cards with no valid write-in votes are set aside for storage and a tally of votes for qualified write-in candidates is begun. This tally will be recorded on the

Unofficial Tally Sheet for Write-Ins with the appropriate box checked ("Precinct Insight Ballots," etc.).

- c. Each recording team will consist of four people: the Caller, the Observer, and two Recorders. In addition, a Monitor will oversee the workflow.
- d. For each card, the Caller will read aloud the precinct number, the card number (if applicable), the contest that contains a valid write-in vote, and the contents of the name field. The Observer, who sits close enough to the caller to be able to read the ballot, will ensure that the Caller is correct. Each Recorder will look for the candidate's name on an Unofficial Tally Sheet for Write-Ins. This sheet lists only qualified write-in candidates (certified write-in candidates plus candidates whose names appear on the ballot) for each contest. Each recorder will write the corresponding precinct number on the tally sheet, in the first available slot next to the candidate's name.
- e. This process will continue until each contest with a valid write-in vote has been recorded.
- f. Continue until all ballot cards with write-in votes have been processed.
- g. Each Recorder will then enter the total number of votes for each qualified write-in candidate for each contest. There will now be two identical, simultaneously generated Unofficial Tally Sheets for Write-Ins, one from each Recorder.
- h. If the two Unofficial Tally Sheets do not match, the ballot cards will be reviewed until the cause for the discrepancy is determined and the discrepancy is resolved.
- i. The Vote-by-Mail, Provisional, and auxiliary bin ballot cards are processed following the same procedures as the precinct Insight ballots, with one exception:

In the event of an overvote in which a candidate listed on the ballot is selected and the *same* candidate is also indicated as a write-in vote, this should be accepted as a valid write-in vote for that candidate, rather than treated as an overvote. The reason for this difference in handling is that a voter who has voted via a mailed ballot or has voted provisionally or using the auxiliary bin has not been given the opportunity to correct the overvote; the duplicate vote for the same candidate must be interpreted as intent to select that candidate.

- Once all ballot cards with write-in votes have been processed, the results are recorded on the Unofficial Tally Sheets for Write-Ins for Precinct Insight Ballots, Vote-by-Mail Ballots, Provisional Ballots and Auxiliary Bin Ballots will be reviewed and tallied by DOE for reporting purposes.

1. Only certified write-in candidates (from certified write-in list)

- a) Write-in is the only vote for that choice (no overvote):**

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CHICAGO, ILL. 60607

1980

1. The first part of the book is devoted to a discussion of the

history of the theory of the firm, from the classical

theory of the firm to the modern theory of the firm.

2. The second part of the book is devoted to a discussion of the

theory of the firm, from the classical theory of the firm to the modern theory of the firm.

3. The third part of the book is devoted to a discussion of the

theory of the firm, from the classical theory of the firm to the modern theory of the firm.

4. The fourth part of the book is devoted to a discussion of the

theory of the firm, from the classical theory of the firm to the modern theory of the firm.

5. The fifth part of the book is devoted to a discussion of the

theory of the firm, from the classical theory of the firm to the modern theory of the firm.

6. The sixth part of the book is devoted to a discussion of the

theory of the firm, from the classical theory of the firm to the modern theory of the firm.

7. The seventh part of the book is devoted to a discussion of the

theory of the firm, from the classical theory of the firm to the modern theory of the firm.

Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

b) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

2. Only candidates whose names appear on the ballot

a) Write-in is the only vote for that choice (no overvote):

The ballot card must be remade, with the candidate's name selected from the ballot list rather than written in. Other choices without write-in votes and other contests are recreated exactly as on the original ballot. *Refer to Remake Procedure*

b) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

3. Only invalid candidates or blanks

a) Write-in is the only vote for that choice (no overvote):

The ballot card must be remade, with the choice that included the write-in skipped, and other choices without write-in votes and other contests recreated exactly as on the original ballot. *Refer to Remake Procedure*

b) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

4. Any combination of the above

A supervisor will review these ballot cards and advise staff of further actions to be taken, using the procedures above as guidelines.

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RCV Ballot Cards with Write-In Votes

- a. Sort the ballot cards by precinct number.
- b. Segregate cards according to the voters' write-in choices for *all* RCV contests on the ballot card.

Beginning with the first precinct in the first district to be reviewed, a team of two screeners will review each ballot card, checking each contest and each choice with a write-in vote. Keeping the ballots in precinct order, they will create four stacks, grouping ballot cards with write-in choices for:

- 1. Only certified write-in candidates (from certified write-in list)**

For one or more contests or choices, the voter has completed the arrow next to the space for write-in candidates and written in the name of a candidate who appears on the certified write-in list for that contest and precinct.

- 2. Only candidates whose names appear on the ballot**

For one or more contests or choices, the voter has completed the arrow next to the space for write-in candidates and written in the name of a candidate listed on the ballot for that contest and precinct.

- 3. Only invalid candidates or blanks**

For one or more contests or choices, the voter has completed the arrow next to the space for write-in candidates and has written in something other than the name of a candidate who appears on the certified write-in list or on the ballot, or has left the write-in area blank

- 4. Any combination of the above**

The voter has made more than one RCV write-in choice, either for the same contest or for different contests. The voter's choices include a combination of valid candidate names (listed on the certified write-in list or on the ballot) and/or invalid candidate names.

Keep in mind that the groupings should be determined based on *all* write-in choices on the entire ballot card (all contests and choices). Overvoted ballot cards should also be categorized according to the above criteria.

- c. A team of two screeners will separate the ballot cards in each of the above categories into two groups: those that require remakes and those that are ready for processing. Remakes are generally required if a voter has written in an invalid candidate or a candidate listed on the ballot. Ballot cards that are ready for processing will be reviewed by another team of two screeners, then collected in a container for transfer to the City Hall computer room, to be processed by the 400-C machine.

- 5. Only certified write-in candidates (from certified write-in list)**

- c) Write-in is the only vote for that choice (no overvote):

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DEPARTMENT OF CHEMISTRY

REPORT OF THE CHAIRMAN OF THE DEPARTMENT OF CHEMISTRY

TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF CHICAGO

FOR THE YEAR ENDING JUNE 30, 1955

BY THE CHAIRMAN OF THE DEPARTMENT OF CHEMISTRY

JOHN EDGAR HOOVER

CHICAGO, ILLINOIS

1955

THE UNIVERSITY OF CHICAGO PRESS

CHICAGO, ILLINOIS

Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

d) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

6. Only candidates whose names appear on the ballot

c) Write-in is the only vote for that choice (no overvote):

The ballot card must be remade, with the candidate's name selected from the ballot list rather than written in. Other choices without write-in votes and other contests are recreated exactly as on the original ballot. *Refer to Remake Procedure below*

d) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Insight machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

THE HISTORY OF THE
CITY OF BOSTON

FROM THE FIRST SETTLEMENT
TO THE PRESENT TIME
BY
JOSEPH NEALE, ESQ.
OF THE BARR

LONDON: PRINTED BY J. JOHNSON, ST. PAUL'S CHURCH-YARD, 1773.

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7. Only invalid candidates or blanks

c) Write-in is the only vote for that choice (no overvote):

The ballot card must be remade, with the choice that included the write-in skipped, and other choices without write-in votes and other contests recreated exactly as on the original ballot. *Refer to Remake Procedure below.*

d) Write-in is not the only vote for that choice (overvote):

The voter's intent cannot be determined. The ballot card would have been initially rejected by the Eagle machine at the polling place, allowing the voter the option to spoil and replace the overvoted ballot card. Ballot card is ready for processing; no remake is necessary (unless another write-in choice requires a remake).

8. Any combination of the above

A supervisor will review these ballot cards and advise staff of further actions to be taken, using the procedures above as guidelines.

IX. Election Results Reporting

1. Reporting Results on Election Night After the Close of Polls

After the polls close, the Department will first release results at approximately 8:30 p.m. which will represent the tallied results from the Vote-by-Mail ballots received before Election Day. The Department will tabulate and release results from votes cast at the polling places as they become available, until 100% of precincts have reported. The results will be available on a screen display in the North Light Court of City Hall, SFGTV Channel 26, and on the Department's website: www.sfgov.org/elections

2. Updates: Reporting of Results after Election Day

The DOE will report results on a daily basis around 4 p.m. for approximately three weeks. The subsequent releases will include results from votes cast at the polling places, remaining Vote-by-Mail ballots, and Provisional ballots. The Department will seek to make final election results available within 28 days of the election.

3. Results of Ranked-Choice Voting Contests

Friday, November 7: The first preliminary tabulation of Ranked-Choice Voting Contests that do not have a candidate with a majority 50% plus 1 votes tabulated as of this day. This preliminary report is not final and the Department will provide a second preliminary report on Wednesday, November 12. For any subsequent releases of preliminary results, the Department will issue a press release and post notices on its website and outside the door of City Hall Room 48 at least the day prior to the release.

4. Final Report and Certification of Election Results

- Canvass Procedures

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California State law requires an official canvass, which is an internal audit of the election to ensure the accuracy and validity of the results. This entails numerous manual processes that verify the accuracy of the computer count, including a hand tally of ballots cast in 1% of the polling places and California election law allows 28-days following an election for the election official to conduct the official canvass and certify the election results. The official Canvass is open to the public. California Elections Code § 15301 requires the official canvass to begin no later than the Thursday following Election Day.

Official canvass tasks include, but are not limited to, the following:

- a) Inspection of all materials and supplies returned from polling places;
- b) A reconciliation of the number of signatures on the roster with the number of ballots recorded on the ballot statement;
- c) In the event of a discrepancy in the reconciliation required by subdivision (b), the number of ballots received from each polling place shall be reconciled with the number of ballots cast, as indicated on the ballot statement;
- d) A reconciliation of the number of ballots counted, spoiled, canceled, or invalidated due to identifying marks, overvotes, or as otherwise provided by statute, with the number of votes recorded, including Vote-by-Mail and Provisional ballots, by the vote-counting system;
- e) Processing and counting any valid Vote-by-Mail and Provisional ballots not included in the semifinal official canvass;
- f) Counting any valid write-in votes;
- g) Remaking any damaged ballots, if necessary; and
- h) Reporting final results to the governing board and the Secretary of State, as required.

Voter Outreach and Education

The Department of Elections is obligated to comply with the federal, state, and local mandates regarding voter outreach and education. The Department has met these obligations in the past and will continue to meet these obligations in the future through the Voter Outreach and Education Program.

The November 4, 2008 Voter Outreach and Education Program will maintain objectives from previous years programs as well as criteria governed by California's Elections Code and Code of Regulations, the Voting Rights Act, the Help America Vote Act (HAVA), and San Francisco's Equal Access to Services Ordinance.

The primary objective of the Voter Outreach and Education Program for the November 4, 2008 general election will be to increase accessibility to voter registration and to identify and register qualified electors. The Department will accomplish this objective by promoting voter registration through multiple outreach mechanisms such as posters, community presentations and advertising. The Department will also look to implement new techniques designed to accomplish those objectives, including voter registration

look-up tool on the Department's website, eNewsletters sent directly to voters, voter registrations drives including a midnight madness event, and MUNI advertising.

The objective of the Voter Education and Outreach Program will be to educate San Francisco voters and the general public about San Francisco's voting process by increasing voter's understanding and awareness of election laws and procedures, including ranked-choice voting; to provide hands-on demonstrations on San Francisco's accessible voting system called the "Edge II"; and to educate voters on services available for limited English-speaking Chinese- and Spanish-Speaking voters and persons with disabilities. The Department will also look to increase awareness of services provided by the Department on its website, including voter registration, vote-by-mail, and provisional ballot status look-up.

The Department will accomplish program objectives by taking a broad approach and disseminate voter information to voters in all parts of San Francisco. The Department will further target specific communities with additional voter education and outreach. These communities include populations protected under the Voting Rights Act (limited English-speaking Chinese- and Spanish-speakers), seniors, persons with disabilities, younger voters, ex-offenders, limited English-speaking Russians-speakers, and immigrants.

The Department will also look to improve voter outreach to low voter turnout areas. The Department will accomplish this objective by identifying and partnering with organizations that serve these areas. The Department will also look to partner with the San Francisco Housing Authority and the Department of Human Services' Housing First Program to provide voter outreach at their facilities, which are consistently low voter turnout.

Staffing

For the November 4, 2008 Consolidated General Election, the Voter Outreach and Education Division will be staffed with Outreach Coordinators who speak the following languages:

- Two (2) English/Mandarin/Cantonese;
- One (1) English/Spanish; and
- One (1) English/Russian
-

Brochures

For the November 4, 2008 election, the Department will produce and distribute flyers, brochures and posters throughout San Francisco at community presentations, street fairs and festivals, and registration drives. Copies of all brochures and posters will also be made available for distribution to community organizations, with electronic versions available for download from the Department's website. Brochures will also be displayed at locations where voter registration forms are made available.

In compliance with the Voting Rights Act and San Francisco's Equal Access to Services ordinance, voter education materials will be translated into Chinese and Spanish.

Additionally, some materials will be produced in Russian. To reach out to individuals with sight impairments, large-print and Braille versions of some materials will also be produced and distributed to organizations that serve the blind community.

The Department will also distribute copies of the Easy Voter Guide, a non-partisan voter guide produced through a collaboration between the California Secretary of State's Office, the California State Library, and the League of Women Voters. The Easy Voter Guide contains information about the statewide ballot measures and offices to be voted on.

Community Presentations

The Department's Outreach Division will begin conducting community presentations during the third week of August. Presentations will be conducted at locations throughout San Francisco such as community centers, schools, places of worship, and organization and neighborhood meetings. To meet the language needs of organizations, presentations will be conducted in English, Cantonese, Mandarin, Spanish, and Russian. To accomplish this goal successfully, the Department will hire bilingual outreach coordinators in order to communicate effectively in the voter's spoken language.

The Department will also use other formats to meet and educate voters face to face such as attendance at the United States Citizen Immigration Services ceremonies, hands-on voting machine practice sessions with the new accessible voting machine, participation in street fairs and festivals, registration drives, and tabling at commercial outlets.

The Department will also continue its association with the San Francisco Sheriff's Department Prisoner Legal Services (PLS) whose staff operates the Inmate Registration and Voting Program. The PLS program is designed to provide voting materials and assistance to individuals imprisoned or awaiting trial that are eligible to register to vote and request a Vote-by-Mail ballot. The Department provides the necessary information and materials to the PLS liaison who then educates the populace and facilitates the registration and voting of those eligible individuals.

Ranked-Choice Voting Mailer

The Department will send voters who live in Supervisorial Districts 1, 2, 4, 5, 7, 9, and 11 a trilingual ranked-choice voting educational mailer the first week in October. The mailer will include an image of the ballot along with detailed marking instructions and direct voters to where they can learn more.

Media

The Department will utilize the media to communicate important voter information to San Francisco voters and the general public by sending press releases informing the media of important election related events and dates.

The Department will also utilize the press that serves those whose primary language is not English. Bilingual outreach coordinators will actively solicit interviews and offer tours with Chinese, Spanish, and Russian language television and radio stations. Bilingual coordinators will also hold press briefings to emphasize multilingual voter services along with other important outreach messages to ethnic communities.

Public Service Announcements

Targeting the ethnic media, the Department will develop two public service announcement (PSA) for radio; one ranked-choice voting for the Board of Supervisors contest this November and one on registration requirements and deadlines. The Department will also work with the Sing Tao Chinese Radio Station to produce a paid 30-second radio advertising in the Sing Tao Chinese Radio station.

Advertising

The Department of Elections will run print advertising in all 17 of the San Francisco Neighborhood Newspapers for the month of October and in designated Chinese- and Spanish-language newspapers. The Department will also run advertising on MUNI bus shelters targeting low-voter turnout neighborhoods as well as free advertising in MUNI busses.

Website

The Department will continue to maintain website information that includes a list of frequently asked questions, information on different voter services provided by the Department. Voter education materials will also be available for download along with a calendar outreach events.

The Department has also made the web site more accessible by providing most content in HTML format that is designed to meet Web Accessibility Standard and Guidelines.

The Department has also created a voter registration lookup tool on the Department's website. The look-up tool allows registered voters to input information (street address number, zip code and date of birth) to determine their voter registration status. The look-up tool, upon confirmation of a voter registration, will provide information on the voter's party affiliation and permanent vote-by-mail status. Beginning 40 days before the election, voters will also be provided with the location of their polling place and sample ballot. Voters whose voter registration status cannot be determined will be directed to call or email the Department of Elections.

X. Pollworker Training and Recruitment

Pollworker training is conducted each election as mandated by California Elections Code and from guidelines provided by the Secretary of State's Training Task Force. The

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training for the upcoming November 4, 2008 Consolidated General Election will be focusing on the following topics:

- Proper operation of the new voting system;
- Rights of voters, including language access rights for linguistic minorities, voters with disabilities, and other protected classes as defined in the federal Voting Rights Act;
- Cultural competency, including adequate knowledge of diverse cultures and languages that may be encountered by pollworkers during the course of election day; and the appropriate skills to work with electioneering;
- Knowledge regarding issues confronting voters with disabilities including, but not limited to, access barriers and need for reasonable accommodation.

Approximately 2,900 pollworkers are to be trained in approximately 150 training classes, which are conducted at several locations near City Hall in the month preceding an election; pollworker training begins Saturday, October 4, 2008 for Clerks, and Wednesday, October 29, 2008 for Inspectors. A training manual and a multilingual glossary of election terms are created to support training.

Different class curricula are developed to support the training of all types of election workers: Inspectors, Clerks, Student Clerks and Bilingual Clerks. Bilingual Clerk classes are taught in Cantonese, Mandarin, Spanish and Russian. Experienced Inspector and Clerk classes last one and a half hours, and classes for new Inspectors will last for three hours, and classes for new Clerks will last two hours.

The single greatest pool of pollworkers is the database the division maintains of those who have worked elections before. Those pollworkers are reminded about approaching elections well in advance with the newsletters and "save the date" reminders. A respectful and prompt communication makes the difference between a surplus and shortfall of pollworkers on election day. The Department will continue recruiting Inspectors from the pool of experienced Clerks who were highly rated by FEDs after the February and June 2008 elections.

To adequately staff all precincts the Department will recruit at least 1,180 high school students for this upcoming election. The Department will work with 60 public and private San Francisco high schools and youth organizations to meet its recruitment target.

XI. Logic and Accuracy Testing

The Department of Elections is required by law to conduct Logic and Accuracy (L&A) testing of all vote tabulating equipment prior to each election. L&A testing is used to verify that the specific ballot information for each precinct is correct and to check the performance of the vote tabulating equipment. L&A testing ensures that all votes are properly recorded and tabulated accurately.

After the Department of Elections staff has completed testing all the machines, including the 400-C machines, the results are presented to the L&A Board. The L&A Board, which

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is composed of registered voters who comes from different fields of work, is responsible for reviewing and pre-approving the Test Plan, and later, for reviewing and approving the overall result of the test. The L&A Board must approve and certify the testing no later than seven (7) days before the election (California Elections Code Section 15000).

Logic and Accuracy testing consists of running a set of marked test ballots (using applicable ballot types) through each voting machine and comparing the vote count with predetermined results to verify the accuracy of the formulated software for a specific election.

Preparations for testing for the Insights, 400-C and Edge II machines will begin September 22, 2008 and testing will begin September 29, 2008 and may continue through October 17, 2008. The Insights and Edge II will be tested first and the 400-C machines are to follow.

A Logic and Accuracy Testing Board oversees the testing, approves the test plan and certifies the results of the test.

Testing of Vote Tabulators Used in Precinct Polling Places

The "Insight" and the Edge II voting machines will be stored at Pier 48 located near AT&T baseball stadium in San Francisco which will be renovated to be a secure facility. All workers and visitors are required to wear an identification badge. During non-working hours, the warehouse is secured.

When the precinct test ballots arrive from the printer, ballot test decks are prepared and transported to Pier 48 to begin Logic and Accuracy testing of San Francisco's precinct voting system. At least 610 units of each of the Insight and Edge II will be tested for use on Election Day.

Prior to testing, the Insight are cleaned and assembled. The memory packs and ID cards are sorted and distributed to each machine to be tested. Test decks are read into each Insight and a tape and ballot image precinct report is printed for each precinct; the report is proofed for accuracy by Department staff. After this verification, the information contained in the memory pack is uploaded into the voting system's database for printing test results.

A precinct report is printed from these results. The report is proofed for integrity and accuracy by another Departmental review team. After verification of the report, the memory packs are returned to the Insight testing personnel, zeroed out and placed in the Insight machine.

Once an Insight has been successfully tested, a serialized seal is attached to the memory pack cover to ensure that no untimely removal of the pack will occur. The Insight is then securely stored by routing number in preparation for delivery to the precincts; it is now ready for use on Election Day.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861.

2. The second part is a report from the Secretary of the Treasury, dated January 1, 1861.

3. The third part is a report from the Secretary of the Interior, dated January 1, 1861.

4. The fourth part is a report from the Secretary of the Navy, dated January 1, 1861.

5. The fifth part is a report from the Secretary of the War, dated January 1, 1861.

6. The sixth part is a report from the Secretary of the State, dated January 1, 1861.

7. The seventh part is a report from the Secretary of the War, dated January 1, 1861.

8. The eighth part is a report from the Secretary of the Navy, dated January 1, 1861.

9. The ninth part is a report from the Secretary of the Interior, dated January 1, 1861.

10. The tenth part is a report from the Secretary of the Treasury, dated January 1, 1861.

11. The eleventh part is a report from the Secretary of the War, dated January 1, 1861.

12. The twelfth part is a report from the Secretary of the State, dated January 1, 1861.

13. The thirteenth part is a report from the Secretary of the War, dated January 1, 1861.

14. The fourteenth part is a report from the Secretary of the Navy, dated January 1, 1861.

15. The fifteenth part is a report from the Secretary of the Interior, dated January 1, 1861.

16. The sixteenth part is a report from the Secretary of the Treasury, dated January 1, 1861.

17. The seventeenth part is a report from the Secretary of the War, dated January 1, 1861.

18. The eighteenth part is a report from the Secretary of the State, dated January 1, 1861.

19. The nineteenth part is a report from the Secretary of the War, dated January 1, 1861.

20. The twentieth part is a report from the Secretary of the Navy, dated January 1, 1861.

21. The twenty-first part is a report from the Secretary of the Interior, dated January 1, 1861.

22. The twenty-second part is a report from the Secretary of the Treasury, dated January 1, 1861.

23. The twenty-third part is a report from the Secretary of the War, dated January 1, 1861.

24. The twenty-fourth part is a report from the Secretary of the State, dated January 1, 1861.

25. The twenty-fifth part is a report from the Secretary of the War, dated January 1, 1861.

The Edge II is tested by burning the test scripts on a results cartridge flash memory card and the information is uploaded into the machine. The VVPAT is printed for each machine and then each VVPAT is reviewed to confirm the results match the test script. Staff will also use do manual voting using the touch-screen interface to input test votes to determine whether the machines are properly registering votes.

During this manual interface other functionality like audio, video and connectivity for assistive devices for some will be tested to make sure that they are working correctly. Language translations will be reviewed and finalized outside of L&A by another group before the testing. This will be done for each ballot type.

Testing of Vote Tabulators to be Used for Vote-by-Mail Ballots

For the November 4, 2008 Consolidated General Election, there are 19 mail-in precincts. Ballots for these precincts, as well as all Vote-by-Mail ballots, will be tabulated using the 400-C Central Count machine. The testing of the 400-C is planned to occur on September 17, 2008. The 400-C machine will be stationed in the Computer Room of the Department of Elections. At least one precinct for each ballot type and all mail-in precincts will be tested on each of the 400-C machine. The testing of the 400-C machine is conducted similarly to the "Insight" testing.

After testing of the vote tabulating machines, the results are presented to the Logic and Accuracy Board (L&A) for approval and certification. The L&A Board must certify testing results no later than seven (7) days before an election.

Note: The scheduled dates for the testing will be made public at least three (3) days prior to the start.

Delivery and Retrieval of Voting Equipment

Prior to Election Day, the Insight, Edge II, blue supply boxes, red boxes and additional supplies are delivered to the 561 polling places throughout San Francisco. After scanning the bar codes on each of these items that provide the precinct numbers to which the equipment is assigned, warehouse staff pull the Insights and place them on rolling racks, by route. The Insights are then double checked by DOE staff and each Insight prior loading on the proper delivery van. The DOE and delivery vendor staff together double check the Insights, using a route sheet, as they load the trucks. At each stop the Insight is delivered and set up. The Edge II is not set up and is left sealed in a "banker's bag" that is sealed with a serialized lock. DOE and Sequoia staff cross check the Insight and Edge II precinct number and the address of the facility against the route sheet. After confirming the information is correct, they initial each other's route sheets for accountability.

The day after the Election, the Department of Elections, in conjunction with Sequoia and the delivery vendor Cor-O-Van, begin retrieving the voting equipment, the red supply boxes, Insights, and continues to do so through the following Sunday. Staff searches each polling place for any election related materials that may have been overlooked on Election Night. Staff are instructed not to look at the contents of the red supply boxes or the Insight bins until they are at the Pier 48 warehouse and a Sheriff Deputy is present.

Upon arrival at Pier 48, the boxes are scanned in and stacked in a cordoned off corner of the warehouse. The Insights are also scanned in and are lined up in the aisles. In addition to the barcode scan, a manual tally is kept to account for each Insight.

A Deputy Sheriff arrives at Pier 48 Warehouse at approximately 3 p.m. on each day of pick-up, and stations him or herself between the red box stack and the blue bins in such a way as to be able to observe the entire operation.

The contents of each red box is then emptied, one at a time, and piece by piece is returned to the box. When any ballots are found they are brought to the Deputy. The number of ballots, the precinct number of the red box they were found in, and whether or not they have been voted, are recorded by a Department staff on a spreadsheet as are ballot stubs and registration cards.

Concurrently, the Insights are, one by one, wheeled into the secure area of the Department's warehouse on Pier 48, and the auxiliary bin and bins #1 and #2 are unlocked and searched thoroughly in the presence of a Sheriff's deputy. When ballots are found, the precinct number, the bin they were found in, the amount and whether or not they were voted, is recorded on the same spreadsheet.

When all of the bins and red supply boxes have been searched, the ballots, stubs and registration cards that were found, are then placed in a red transfer box and the lid is sealed. The Deputy and Department staff sign and place seals on the lids of the boxes to ensure the containers are not open during transport. A copy of the spreadsheet is taped to the top of the box. Any voted ballots will be transported to City Hall under escort from a Deputy, and this movement will also be chronicled for the sake of registering chain of custody.

Elections Commission

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September 17, 2008

City and County of San Francisco

Elections Commission

Approved: October 1, 2008

Minutes of the Meeting held

City Hall, Room 408

September 17, 2008

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1. President Gleason called the meeting to order at 6:04 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Rosabella Safont, Commissioner Arnold Townsend arrived at 6:20 pm, Deputy City Attorney Andrew Shen and Director John Arntz. **EXCUSED:** Commissioner Joseph B. Phair.
3. **Public Comment.** *Brent Turner* said that he represents the San Francisco Election Integrity League, and thanked Commissioners Matthews and Gleason for attending the Linux World Exhibition held at the Moscone Center, that demonstrated the open source code paper ballot printing systems. He also said he is looking forward to the formation of a San Francisco Open Source Task Force.
4. **DIRECTOR'S REPORT**

Preparations for November 4, 2008 General Election. Director Arntz reported that the 44 ballots types for this November's election have been formatted and printing has begun, the Voter Information Pamphlet (VIP) is expected to be at the printer next week, and test ballots for the voting equipment are coming in. The phone bank began Monday and the Department is experiencing a large increase in calls and emails about the election. The Ranked Choice Voting (RCV) mailer will go out when early voting begins on October 6, 2008. All of the required polling sites were located until recently when two cancelled, they will be reassigned; and 70 percent of the needed pollworkers and 65 percent of the Field Election Deputies have been recruited. Routes have been set up for delivery of equipment to the sites, and over 5000 ballots have been mailed to overseas voters – the number is increasing due to interest in this November's election. Registration numbers have increase by 3000 in just the last few days, bringing the current number to approximately 435,000 registered voters in San Francisco.

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Preparations for early voting have begun and registration cards are being placed at post offices, libraries and other public locations. Representatives of registration drives are coming to our offices to obtain forms. Audio instructions for the touch screen equipment (the Edge) have been completed and Canvass procedures are being reviewed.

President Gleason told the Director that the addition of the "New Procedures" section of the Election Plan was very helpful.

Status of the Voting System Certification. Director Arntz reported that the hearing will be next Friday at the Secretary of State's Office at 1:00 pm, followed by seven days for public comment. This means that a decision cannot be made before October 3, 2008. The Director explained that the issue is not the touch screen voting machines, as is described in the media, the issue is RCV. The current tabulation software has not been reviewed and approved for tabulating the RCV contest ballots.

The Sequoia Voting System has completed testing at the federal level of the software that can tabulate RCV votes, but the Elections Assistance Commission (EAC) will not complete its review of the testing results until after the November election. California elections law requires all uses of touch screens to be approved by the EAC, but does not require optical scan systems to have received EAC approval. Thus, the Secretary of State can conditionally approve the use of the optical scan equipment to tally RCV votes without EAC approval, but cannot conditionally certify touch screen equipment to tally RCV votes.

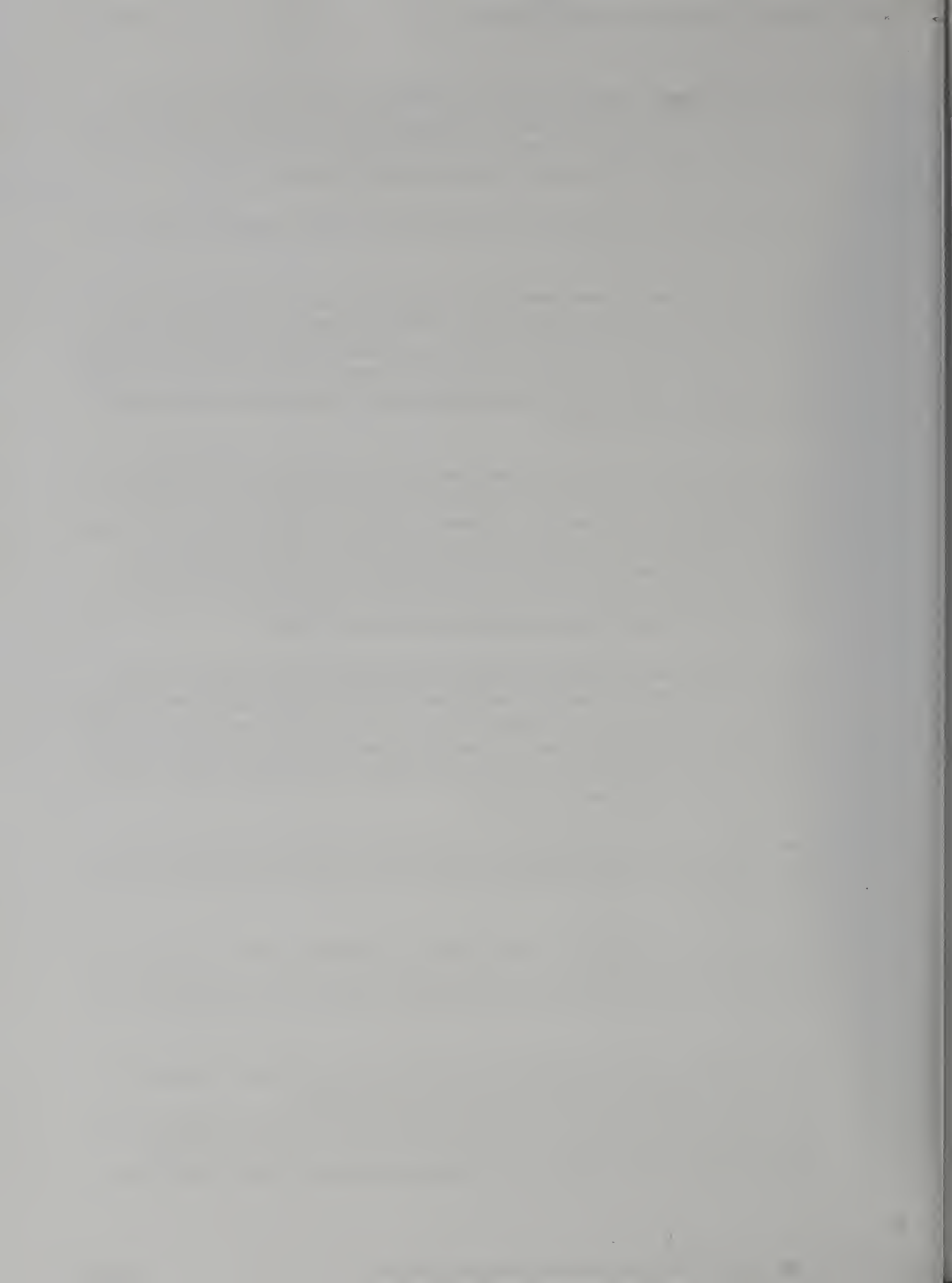
Plans for safeguards for mailing of absentee ballots outsourced to Sequoia Voting Systems. There have been several meetings with the vendor regarding their process and the Department's requirements. DoE Staff will be on site where ballots are assembled, inserted into envelopes and prepared for mailing – this will be new for the November election. The problem in June arose because a file of about 1600 voters was not coded properly, and now that portion of the mailing has been resolved.

Director Arntz advised the Commission that the Department's website can be accessed by voters to determine when their ballot was mailed to them and when the Department received their cast ballot.

President Gleason asked if it was possible to have the Department of Motor Vehicles check their office for voter registration and change of address requests before the deadline for these requests to be submitted to the Elections Department. Director Arntz responded that he will look into this.

Public Comment. *Brent Turner* asked that background checks be done on employees of Sequoia Voting Systems who will be handling the mailing of ballots.

Katie Hickcock said that Sequoia Voting Systems have been found to have problems in other states and that she wants to bring this to Director's attention, as well as a movie called "Stealing America", which will have it's last showing tomorrow night, that the Director should



see.

5. NEW BUSINESS

September 3, 2008, Commission Meeting. Commissioner Safont MOVED and Commissioner Yu SECONDED approval of the minutes. The Roll Call Vote (Commissioner Matthews had left the meeting) was UNANIMOUS to approve the minutes.

b. Discussion and possible action to commend the Ballot Simplification Committee and Deputy City Attorney Mollie Lee for their work on the upcoming November 4, General Election. President Gleason MOVED to have Commissioner Matthews prepare a resolution to commend the BSC and Deputy City Attorney Lee. Commissioner Safont SECONDED this proposal. The Roll Call Vote was UNANIMOUS.

c. Discussion and possible action to approve The Election Plan for the November 4, 2008 General Election. Commissioner Townsend MOVED and Commissioner Safont SECONDED this item. President Gleason thanked the Director for the report and said that the new procedures were well spelled out. He asked that the Commission approve the plan with an amendment that procedures may change should the voting system be certified.

Public Comment. *Brent Turner* said that the process for certification of the equipment should not be taken lightly because it "is currently broken" because there is no "ability to obtain oversight over the proprietary systems". *Katie Hickcock* said that any computer can be "hacked" regardless of certification.

The Roll Call Vote on the amendment to conditionally approve the plan was: Townsend – no; Safont – yes; Yu – yes; Gleason – yes. The vote FAILED.

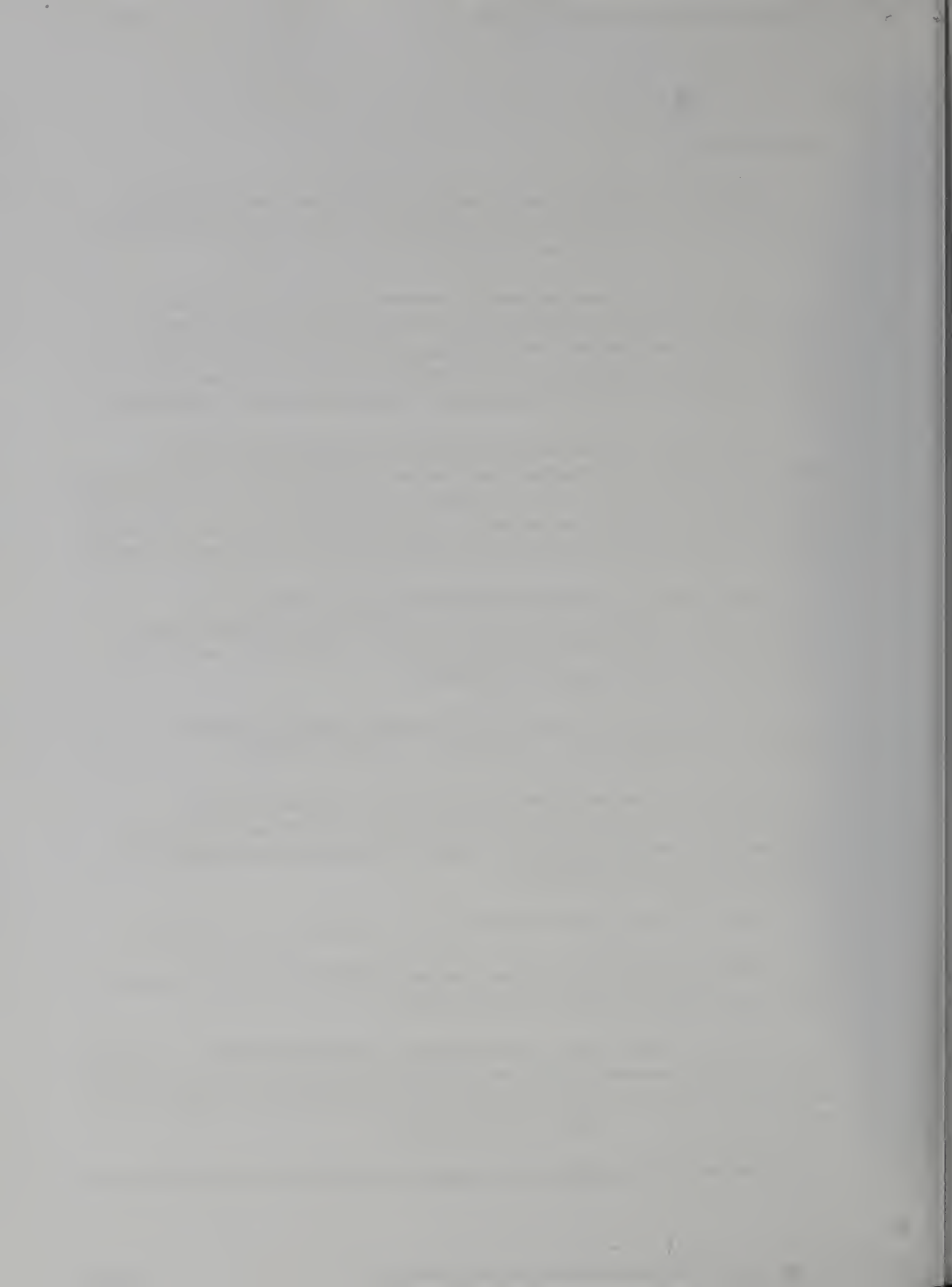
Commissioner Townsend explained that he voted "no" because he felt the amendment was not necessary, because if the Commission votes to approve the plan as presented tonight, and if the system is not certified, the approval will not take effect and therefore it is unnecessary at this time.

The Roll Call Vote to approve the Election Plan, as presented, was UNANIMOUS.

d. Discussion and possible action regarding preparations for the November 4, 2008 General Election. TABLED to the next meeting.

e. Discussion and possible action regarding Commission member activities and observations regarding the November 4, 2008 General Election. President Gleason reviewed the discussion from the last meeting and referred members who had been absent to refer to those minutes. TABLED to the next meeting.

f. Discussion and possible action regarding criteria for Commission post-election

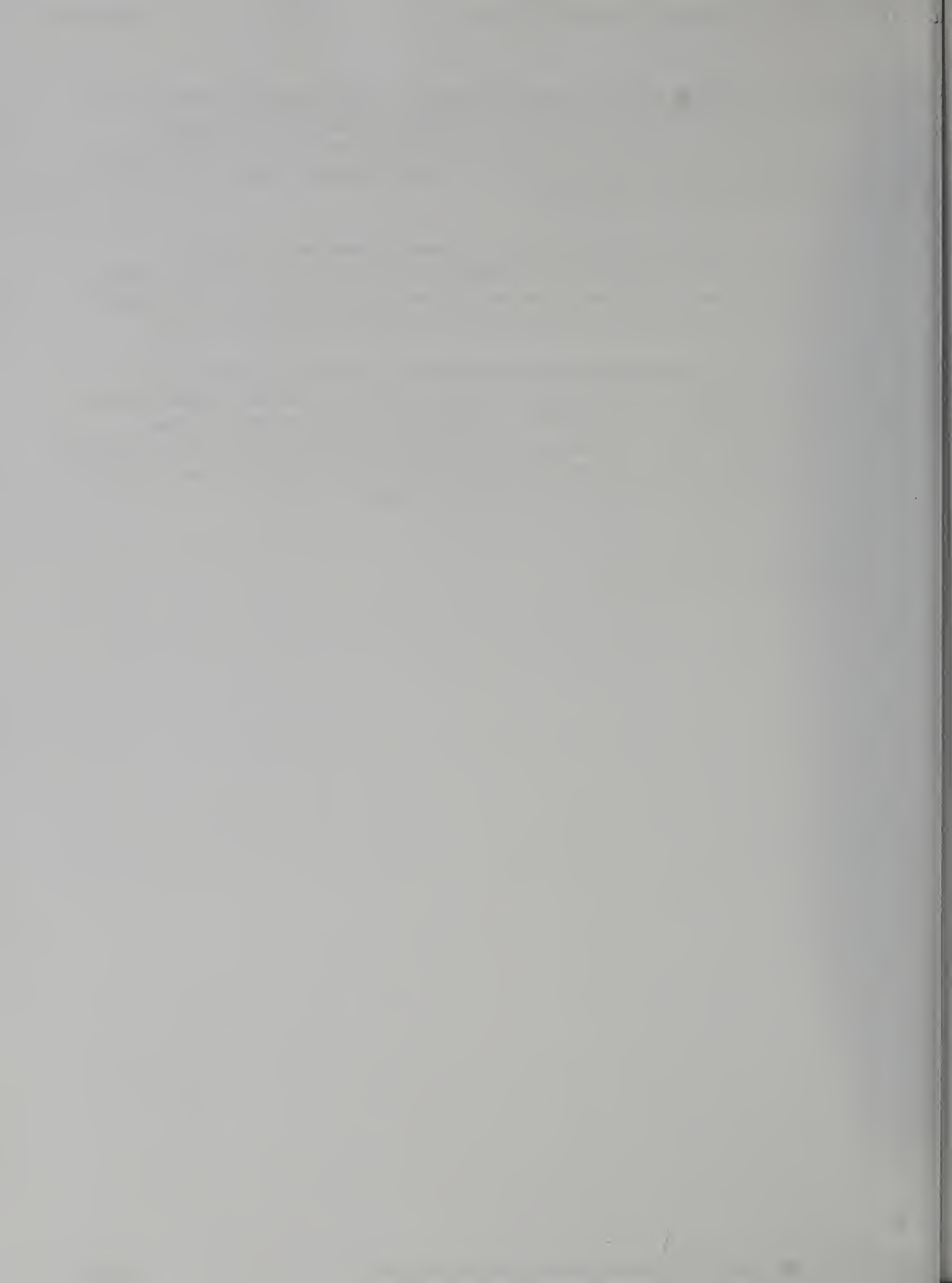


evaluation of election plans and conduct of election. President Gleason explained that this item was to have been forwarded to the Commission by the Ballot and Oversight of Public Elections Committee (BOPEC) by Commissioner Phair, who is not present at tonight's meeting. The President said that the item is TABLED to the next meeting when all of the BOPEC members would be present.

g. **Discussion and possible action regarding Commission outreach activities and re-establishing a Commission outreach committee.** President Gleason stated that due to discussions he has had with the City Attorney's Office, he was TABLING this item. Commissioner Townsend said that he wanted to talk about it in the future.

6. **Discussion regarding items for future agendas.** President Gleason reminded the Commission that there will possibly be three more meetings before the November General Election: October 1, 15 and 29, 2008. The meeting for October 29, 2008 is tentative depending on need. Commissioner Townsend asked if outreach is continuing to the jails and if brochures and registration forms are going to the probation department as well. Director Arntz said that he would check to be sure that this is done.

ADJOURNMENT was at 6:50 pm.



Elections Commission

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October 1, 2008

Elections Commission Meeting
Wednesday, October 1, 2008
At 6:00 pm
City Hall Room 421

Order of Business

1. Call to Order & Roll Call
2. Introduction of new member to the Elections Commission
3. Announcements
4. Public comment on any issue within the Elections Commission's general jurisdiction
5. **DIRECTOR'S REPORT**

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|--|
| <ul style="list-style-type: none">• Preparations for November 4, 2008 General Election |
| <ul style="list-style-type: none">• Update of certification by the California Secretary of State of voting system for use and tabulation of Ranked Choice Voting ballots |
| <ul style="list-style-type: none">• Department of Elections outreach activities for the November 4, 2008 General Election |

6. **Commissioners' Reports**
 - Meetings with public officials
 - Oversight and Observation activities
 - Long-range planning for Commission activities and areas of study

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7. NEW BUSINESS

- a. Discussion and possible action to approve the Minutes of the September 17, 2008 Commission Meeting.
- b. Discussion and possible action regarding Commission response to communications from members of the public. [Gleason]

8. OLD BUSINESS

- a. Discussion and possible action regarding preparations for the November 4, 2008 General Election.
- b. Discussion and possible action regarding Commission member activities and observations regarding November 4, 2008 General Election.
- c. Discussion and possible action regarding criteria for Commission post-election evaluation of election plans and conduct of election.
[Phair]

9. Discussion regarding items for future agendas

Adjournment

Complete Commission Packet for October 1, 2008



"If any materials related to an item on this agenda have been distributed to the Elections Commission after distribution of the agenda packet, those materials are available for public inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, during normal office hours."

Disability Access

The Elections Commission meeting will be held in Room 421, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Station at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-1111. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Community Center.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative format of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4388 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may also be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited during a meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.



FOR DISCUSSION OF ITEM 7.B
COMMUNICATIONS FROM THE PUBLIC
SEE ITEMS FOLLOWING THIS COVER PAGE
THAT ARE LISTED BELOW:

#1.

07/12/2008 – First Email from info@localparty.org
It refers to a communication that the Elections Commission did not receive.

#2.

07/24/2008 – Elections Commission Secretary's response to 07/12/2008 info@localparty.org communication.

#3.

07/24/2008 - info@localparty.org response to Secretary's communication.

#4.

07/31/2008 – Elections Commission Secretary's response to info@localparty.org informing them that the original letter never was received and that the Elections Commission would be discussing the letter at its August 20 meeting.

#5.

08/07/2008 - info@localparty.org response to the 07/31/2008 communication.

#6.

09/14/2008 - info@localparty.org response to the discussion of their letter in the minutes of the August 20, 2008 meeting.

#7.

09/17/2008 – President Gerard Gleason's letter to info@localparty.org .

#8.

09/17/2008 - info@localparty.org 's response to President Gleason's letter.

#9.

09/20/2008 - info@localparty.org 's email with subject: "The new issue between LocalParty.Org and the Elections Commission".

THE ANNALS OF THE AMERICAN PEOPLES

<p>THE</p> <p>ANNALS OF THE</p> <p>AMERICAN PEOPLES</p>	<p>1870</p>
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<p>THE</p> <p>ANNALS OF THE</p> <p>AMERICAN PEOPLES</p>	<p>1880</p>



<info@localparty.org>

07/12/2008 11:54 AM

Please respond to
<info@localparty.org>

To elections.commission@sfgov.org

cc

bcc

Subject We sent a request to the Commission. When should we be hearing a reply?

History:

☞ This message has been replied to.

Dear Elections Commission,

A couple of weeks ago, LocalParty.Org sent you a letter in which ordinary San Francisco citizens request you to change the local elections from district to proportional elections. A copy of this letter can be found at <http://LocalParty.Org/June15.html>

Proportional elections are elections in which voters each get a single vote for a single candidate in a single election for the entire board.

We claim that the Constitution requires local governments to have proportional elections in place. The Constitution provides equality before the law, and only allows (by specifically mentioning this) the Federal and State governments to hold elections that are not based on equality before the law.

Though we can understand local governments to follow the Federal and State examples in how to hold elections, we believe the Constitution actually does not allow them to do that. And even though ordinary citizens are requesting this change, it is the Constitution itself that requires it.

Our web page <http://LocalParty.Org/June15.html> provides you more information plus a link to an example how proportional elections function.

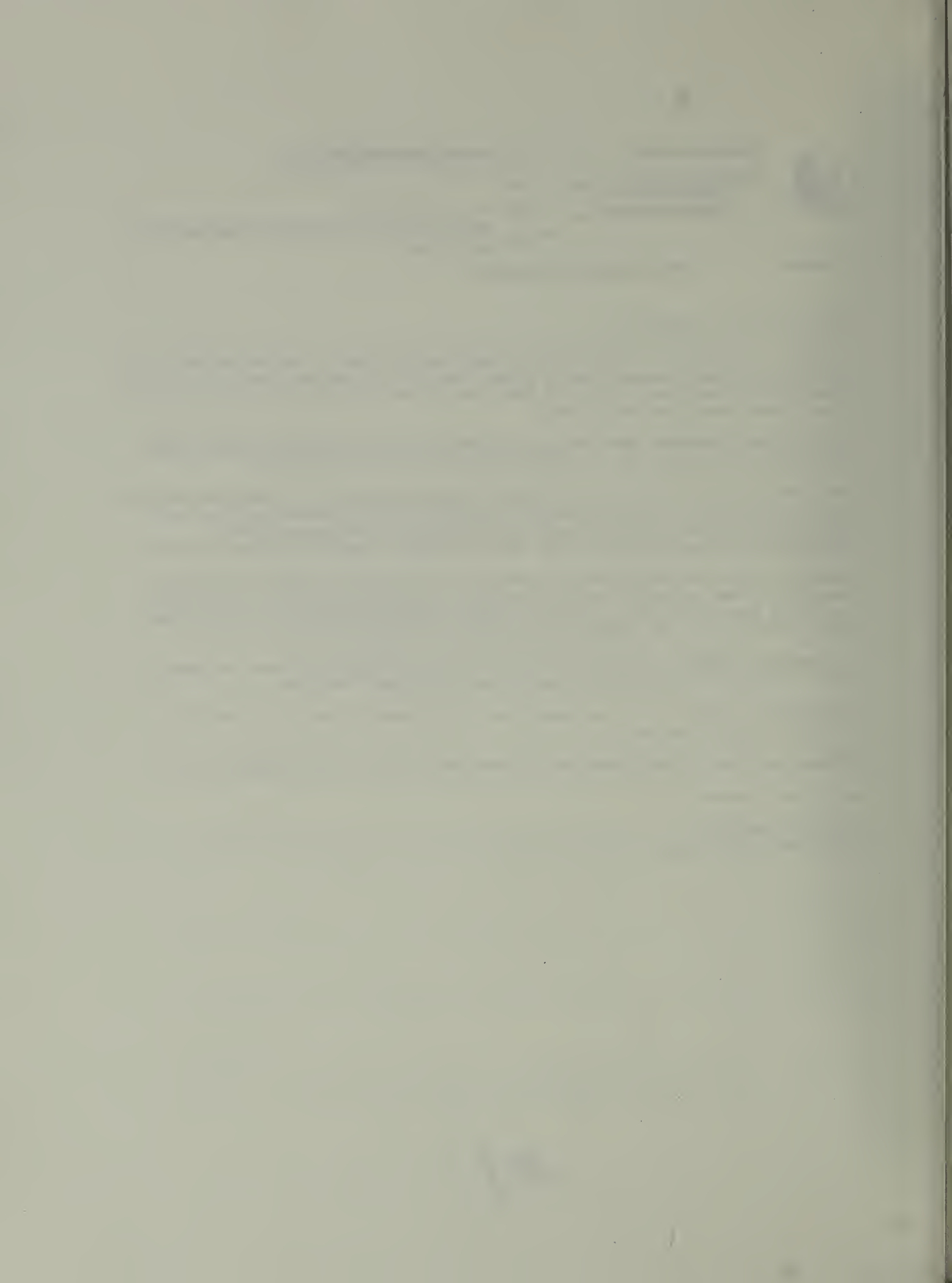
Our question right now is how much time it will most likely take before we receive a reply from you.

If you have any further questions, please email us at info@localparty.org.

With high regards,

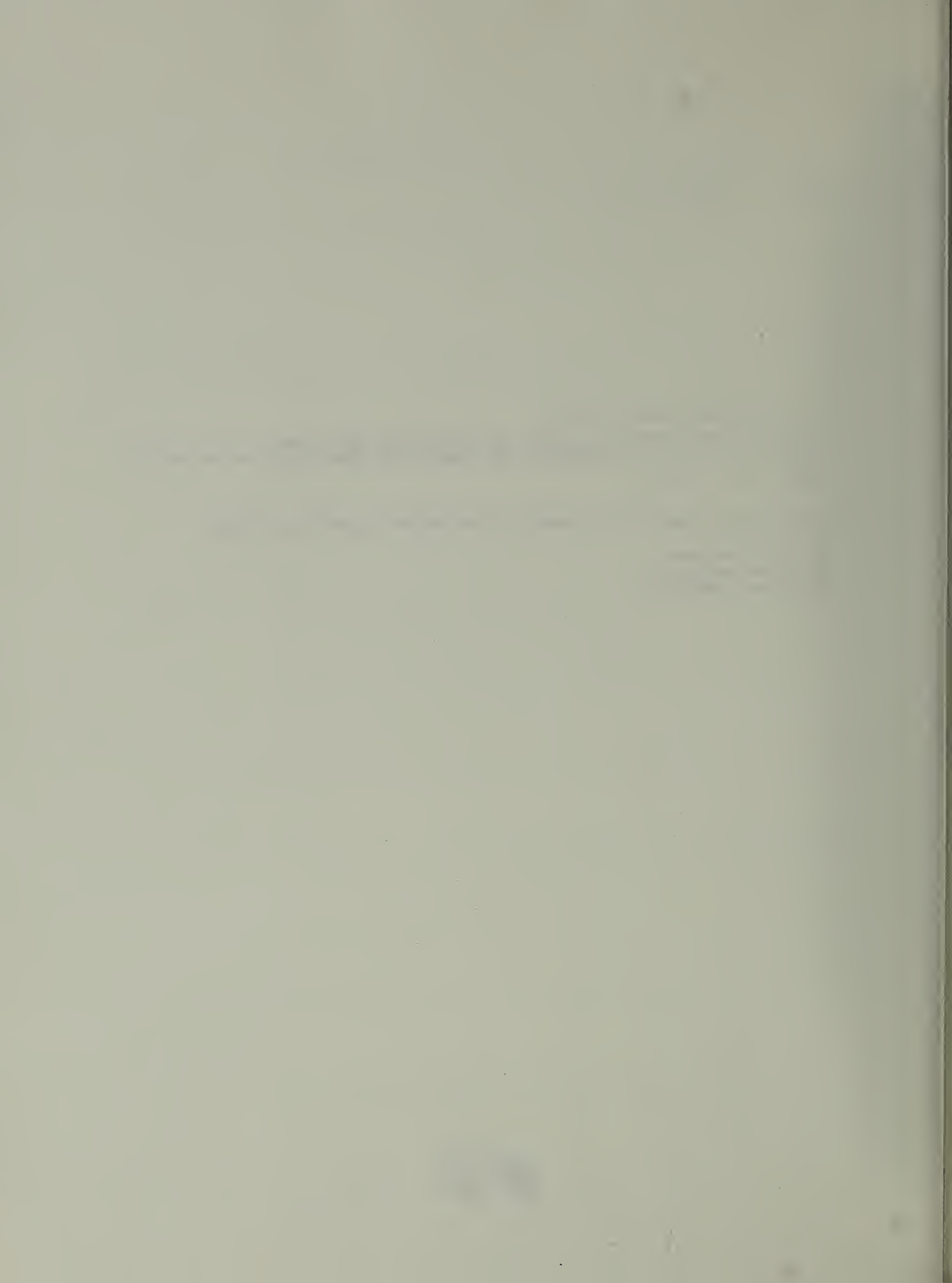
Fredrick Schermer
<http://LocalParty.Org>

/



> -----Original Message-----
> From: Elections Commission <Elections.Commission@sfgov.org>
> Subject: Re: We sent a request to the Commission. When should we be hearing
a reply?
> Sent: 21 Jul '08 15:11
>
> The Elections Commission's powers do not extend to making new laws.
>
> Shirley Rodriques
> Executive Secretary
> Elections Commission
>
>
>
>

#2





<info@localparty.org>

07/24/2008 06:01 AM

Please respond to
<info@localparty.org>

To "Elections Commission" <Elections.Commission@sfgov.org>

cc

bcc

Subject Re: We sent a request to the Commission. When should we
be hearing a reply?

History:

☞ This message has been replied to.

Dear Ms. Rodrigues,

Thank you for replying, but it seems your reply does not answer the question before you. We request implementation of a Constitutional right, and the question therefore is whether you are complying with this Constitutional Right or not. There is no issue about making new laws.

If needed, LocalParty.Org will bring this issue before the court at a later point in our communications, and as you can understand a qualified reply to the question itself is therefore very important.

If we do not hear from you, the assumption can only be that you are saying 'no' to our request to implement the Constitutional right we pointed out to you. We state you must comply with rules that are in place.

Naturally, we understand the followed path in the past of copying the Federal and State examples on how to organize elections, or even to leave it up to the discretion of local governments, yet with our pointing out the information as delivered in the Constitution, you are now aware of the rules to follow. We are not asking for anything new; we are asking you to implement the rules as described in the Constitution.

With utmost respect, and signing for LocalParty.Org,

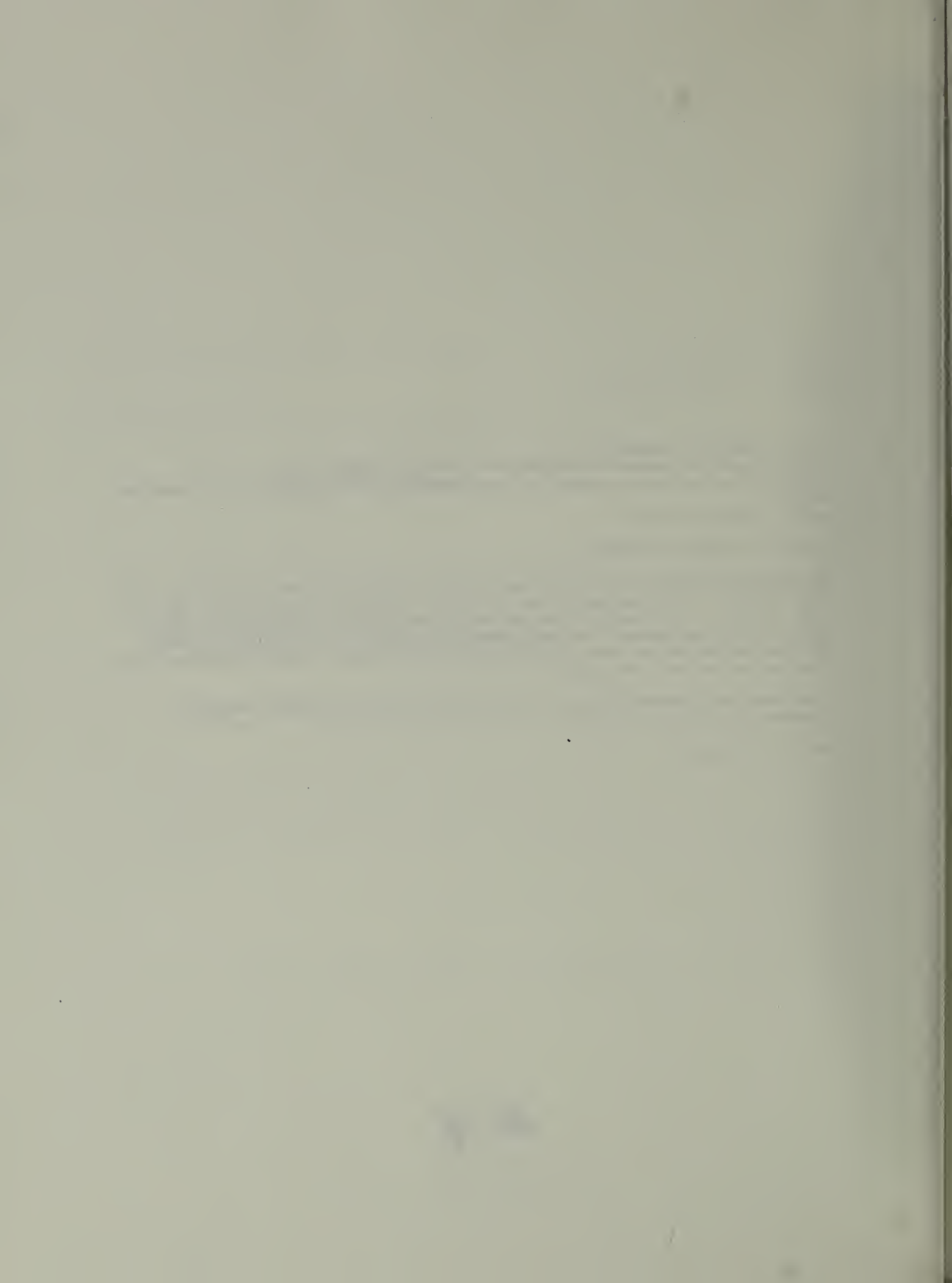
Fredrick Schermer

<http://localparty.org/June15.html> this web page contains a visual on what is described in the Constitution and what is found in place instead.

#3.

> -----Original Message-----
> From: Elections Commission <Elections.Commission@sfgov.org>
> Subject: Re: We sent a request to the Commission. When should we be hearing
a reply?
> Sent: 31 Jul '08 19:04
>
> Dear Mr. Fredrick Schermer
>
> We apparently never got a hard copy of your original letter in the mail, and
> your e-mail to the Commission had a "link", which all commissioners may not
> see or view. It is best if you can send a hard copy of the letter again,
> and we will distribute it to all commission members. The Commission may
> discuss the letter at their Aug 20 Meeting under item: "Communications from
> the Public to the Commission".
>
> That meeting's agenda will be on line the Friday before that meeting
> (August 15) for your review.
>
> Shirley Rodriques
>
>
>
>

4





<info@localparty.org>

08/07/2008 06:00 PM

Please respond to
<info@localparty.org>

To "Elections Commission" <Elections.Commission@sfgov.org>

cc

bcc

Subject Re: We sent a request to the Commission. When should we
be hearing a reply?

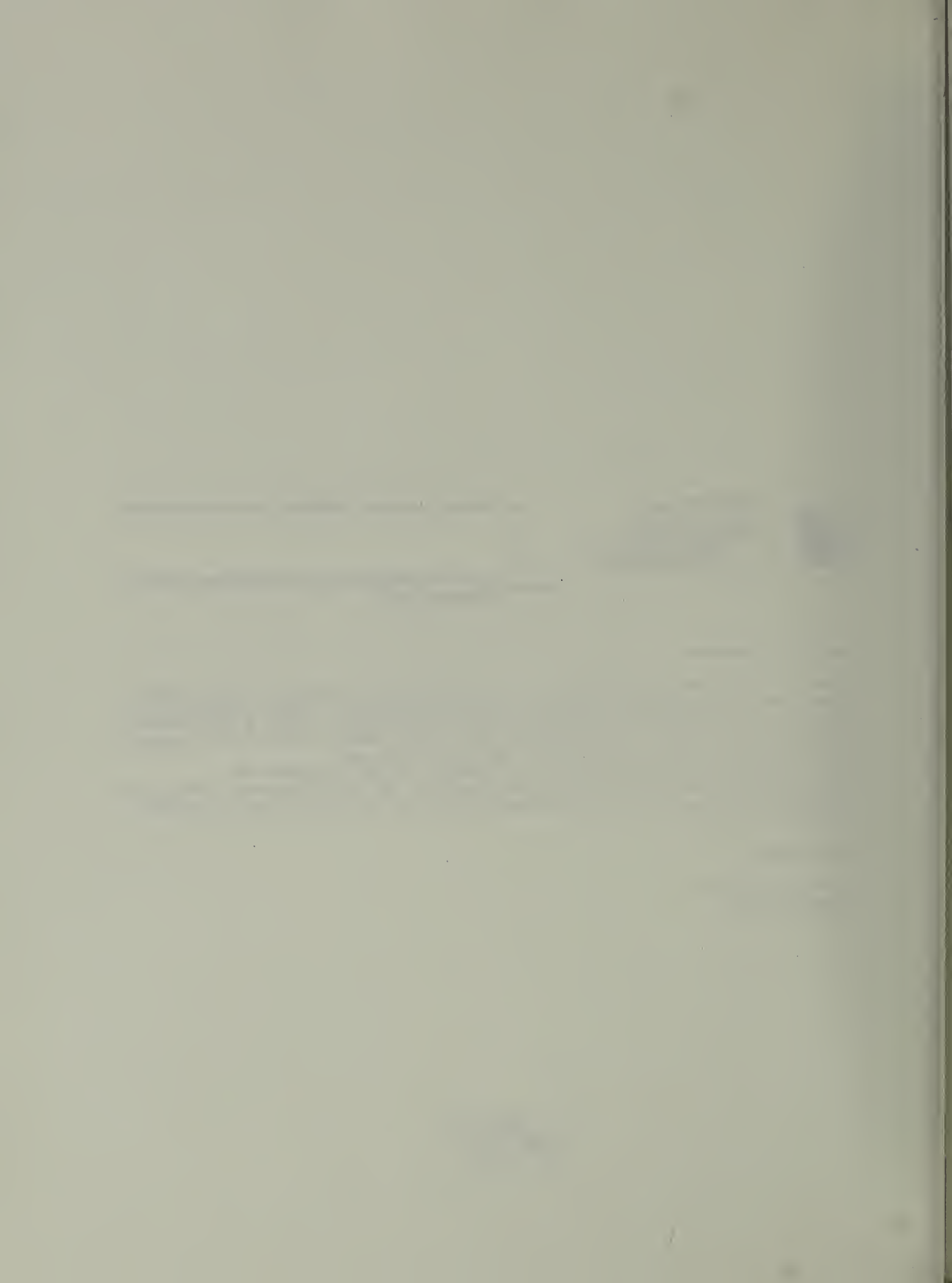
Dear Ms. Rodriques,

Thank you very much for informing us that the Elections Commission may take a closer look at our request during the August 20 meeting. Though visually tiny, there is a link next to the letter on the web page that creates a pdf document of the letter involved. I attached the pdf to this email together with another pdf that contains the visual we also use on our web page <http://localparty.org/June15.html> That specific visual displays our understanding, hopefully as clearly as possible, of the difference between how the regulations are set up in the Constitution for our entire nation and what we find in reality.

Best regards,

Fredrick Schermer
LocalParty.Org

#5





<info@localparty.org>

09/14/2008 09:25 PM

Please respond to
<info@localparty.org>

To "Elections Commission" <Elections.Commission@sfgov.org>

"Paul Platt" <djplatus@gmail.com>, Austin Petersen
cc <austin.petersen@lp.org>, contact@sfgop.org, CC
<cc@sfgreens.org>

bcc

Subject Re: We sent a request to the Elections Commission. When
should we be hearing a reply?

History:

☞ This message has been replied to.

Dear Ms. Shirley Rodrigues,

We were able to read the nr. 7 minutes of the Elections Commission August 20, 2008 meeting in regards to our request of having the San Francisco elections comply with the United States Constitution. We read that the commission decided to sent us a reply. We have not received a reply, and, while this may be due to various reasons unknown to us, I hope you do not mind our creating an email reply to the commission members themselves in regards to the questions mentioned in the minutes. Will you please forward our email to them?

Thank you.

Best regards,

Fredrick Schermer

Dear Elections Commission members,

With your permission, LocalParty.Org is taking the freedom to address various issues you mentioned; we were able to read about them from the minutes of the August 20, 2008 meeting. Though we did not receive an address to our request as of yet, it may be prudent to answer some of your questions:

1/ President Gleason referred to the letter sent in an email from info@localparty.org which deserves a response. He said that our issue was not one to be handled by the Elections Commission.

* Our reply is that the Elections Commission must follow the City Charter which authorizes the Elections Commission to supervise the City's Department of Elections. Because of this authorization it is the Commission that sets general policies for the Department. The Elections Commission also selects and supervises the Director of the Department of Elections. As such, the Elections Commission is or is part of that governmental organization that reviews whether the San Francisco Board of Supervisor elections comply with the Constitution of the United States and would give directions to those involved to comply with the United States Constitution when it learns about a lack thereof.

2/ Commissioner Phair said that he read the letter and doesn't understand the complaint.

* It is not uncommon to misinterpret the request before you, but after placement of our request - and with further explanation of the grounds on which we make this request - there is no reason for the Elections Commission to not follow the United States Constitution.

#6.0

THE [illegible] OF [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

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[illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible] [illegible]

District elections are commonly known as winner-takes-all, and while each district has a set number of eligible voters and each has one representative per district, this still only amounts to 'equal but separate.' It also leaves many who came out to vote unrepresented until at least the next elections, while for some this certainly means remaining unrepresented forever despite casting a vote in all appropriate elections.

To address the latter point first, from our calculations of the United States Senate of 2005/2006, we can mention that only 59.03% of the voters could point to the person they voted for <http://localparty.org/SenatorMinority.html> while 40.97% had voted for the losers and were not represented by their choice. On top of this, and addressing the former point, the selection procedure does in no way ensure representation of the voters, but delivers only a winner per district. We all know from the basketball game that tall people are not selected by the audience or by their personal desire to be good at this game, rather these tall people fit the ten foot high basket best; while the game did not pick them personally, it ensured a blanketed lack of people shorter than 6 feet in professional basketball. Unnatural selection is incorporated in the district form of democracy. Not the people, but the system selects first. The people select from an already established limited group of options when a geographical dictate is in place. If a voter selects a candidate on geographical grounds, then that should be up to the voter and not to the Elections Commission and those its directs.

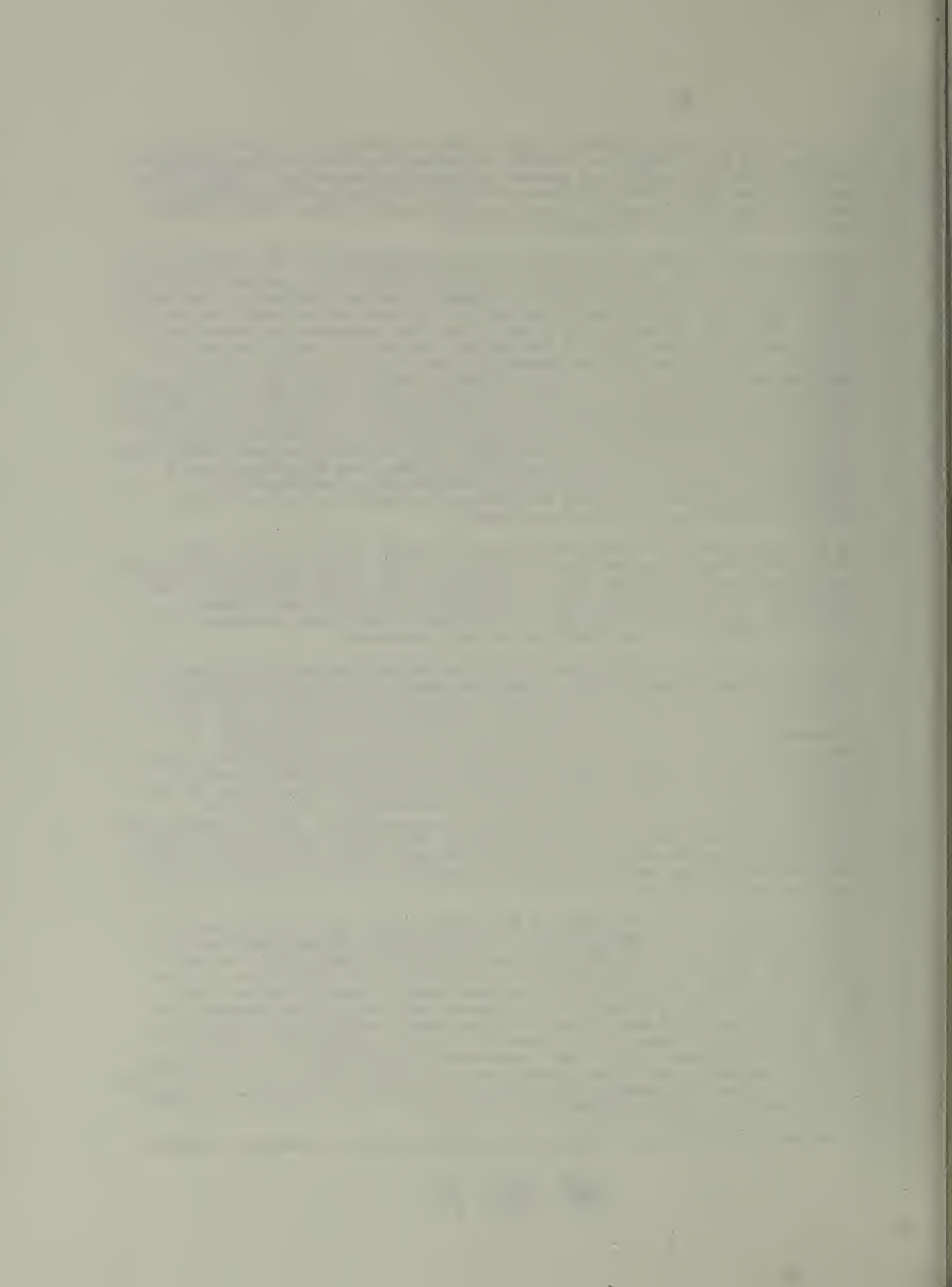
As an example, with San Francisco having an average of 15% of the voters voting for a Republican presidential candidate, one should expect the Board of Supervisors to be different than 10 Democratic and 1 Green Supervisor. Also, the number of female Supervisors is unnaturally low (with only 1 female Supervisor directly elected, and 2 other female Supervisors appointed - with them as incumbents in good positions to get reelected).

Just like equal but separate was found to be unconstitutional, electing local representatives through district elections cannot be anything other than unconstitutional. To have voters remain unrepresented at such a high level is according to LocalParty.Org incorrect, not serving the voters nor is it in concordance of what the Framers put in place for us. It is important to understand that the United States Constitution describes in specific how the Federal electoral process may be conducted, and how the States' electoral process is linked to these more specifically pronounced proceedings. As such, district elections are allowed in the U.S. Constitution. Yet for local elections the U.S. Constitution is almost mute, except for equality before the law. The 14th Amendment states that no State shall "deny to any person within its jurisdiction the equal protection of the laws." Local Elections therefore need and must follow only one directive described in the U.S. Constitution: equality before the law.

Many of us have little knowledge of the Constitution nor the exact meaning of the 'fine print.' Yet representative John Stuart Mill already mentioned in 1861 that "two very different ideas are usually confounded under the name democracy. The pure idea of democracy, according to its definition, is the government of the whole people by the whole people, equally represented. Democracy as commonly conceived and hitherto practised is the government of the whole people by a mere majority of the people, exclusively represented. The former is synonymous with the equality of all citizens; the latter, strangely confounded with it, is a government of privilege, in favour of the numerical majority, who alone possess practically any voice in the State. This is the inevitable consequence of the manner in which the votes are now taken, to the complete disfranchisement of minorities."

A system of proportional elections was not developed until lawyer, professor,

6.1



and mathematician D'Hondt created a proportional representation political election system in 1878. As a side note, the D'Hondt method is equivalent to the Jefferson method (named after Thomas Jefferson) in that these two methods always give the same results, but the method of calculating the apportionment is different. The Jefferson method was invented in 1792 for U.S. congressional apportionment rather than elections. We therefore have two dates on which proportional local elections 'should have' been put in place, with the first date being July 9, 1868 when the 14th Amendment was ratified. The second date being 1878 when a mathematical system became available for electoral uses. Though possibly late, our request asks from the San Francisco Elections Commission to comply with the United States Constitution that is known to not allow 'equal but separate' on any governmental level. We would like to add that the word representation is not the same as winner. People either select an ambassador or a representative; the former occurs in our current district system, the latter occurs in proportional elections.

3/ Commissioner Matthews asked if it appears that the letter is requesting the abolition of RCV.

* Proportional elections has nothing to do with RCV, district elections; not even city-wide elections. Proportional elections give a single voter a single vote for a single candidate in a single election for the entire board. No other form of selection can be considered fair. There are various forms known of proportional elections, and if need be LocalParty.org is willing to advise the Elections Commission on the various options.

4/ President Gleason replied that he was not certain, but it appears the concern is regarding how members of the Board of Supervisors are set up.

* Correct! Basketball players are tall, horse jockeys are small, and sumo wrestlers have much gravity. Some selection procedures are slanted and they discriminate (such as district elections, with or without RCV), while others are set up to deliver a fair outcome (such as proportional elections). For your consideration: only the Federal political outcome provides a competitive outcome with the Democratic and Republican parties in virtual dead heats for decades. At the State level only one-third of the States have one Republican and one Democratic Senator, the other States have two Senators of the same party. The local level is worst, where we find many political monopolies all across the United States. The voter is short changed in local elections with no true competition allowed. District elections are based on a 50% threshold (basketball), proportional elections slice up the cake in proportional parts based on the voters' actual wishes. In San Francisco, we should have a single cake that gets divvied up in eleven slices based on the prescription of the United States Constitution.

We estimate that, today in San Francisco, there would be 3 Green Supervisors, at least 1 Republican Supervisor (probably 2 - or also 1 Libertarian Supervisor), and only 6 Democratic Supervisors if we had proportional elections. Once voters smell that they can vote in fair elections and not in basketball elections, we predict that the outcome will actually be even more slanted towards the Green Party. We can understand it - with the national elections in the background - that some want to see a Democratic stronghold in San Francisco, but that is not what the Framers had in mind. The Framers had a Federal government in mind in opposition to State/local governments, and not one side in some biased kind of concurrence. Today, the local governmental elections do not provide any real competition nor deliver substantial voter freedoms, and we think it is time the Elections Commission gives us our Constitutional right.

6.2

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CHICAGO, ILL. 60607

We are not requesting the Federal nor the State governments to put proportional elections in place; the United States Constitution may actually not even give us grounds to request this other than for the local elections. For local lections, however, we are quite certain that the U.S. Constitution provides a very clear direction: equality before the law.

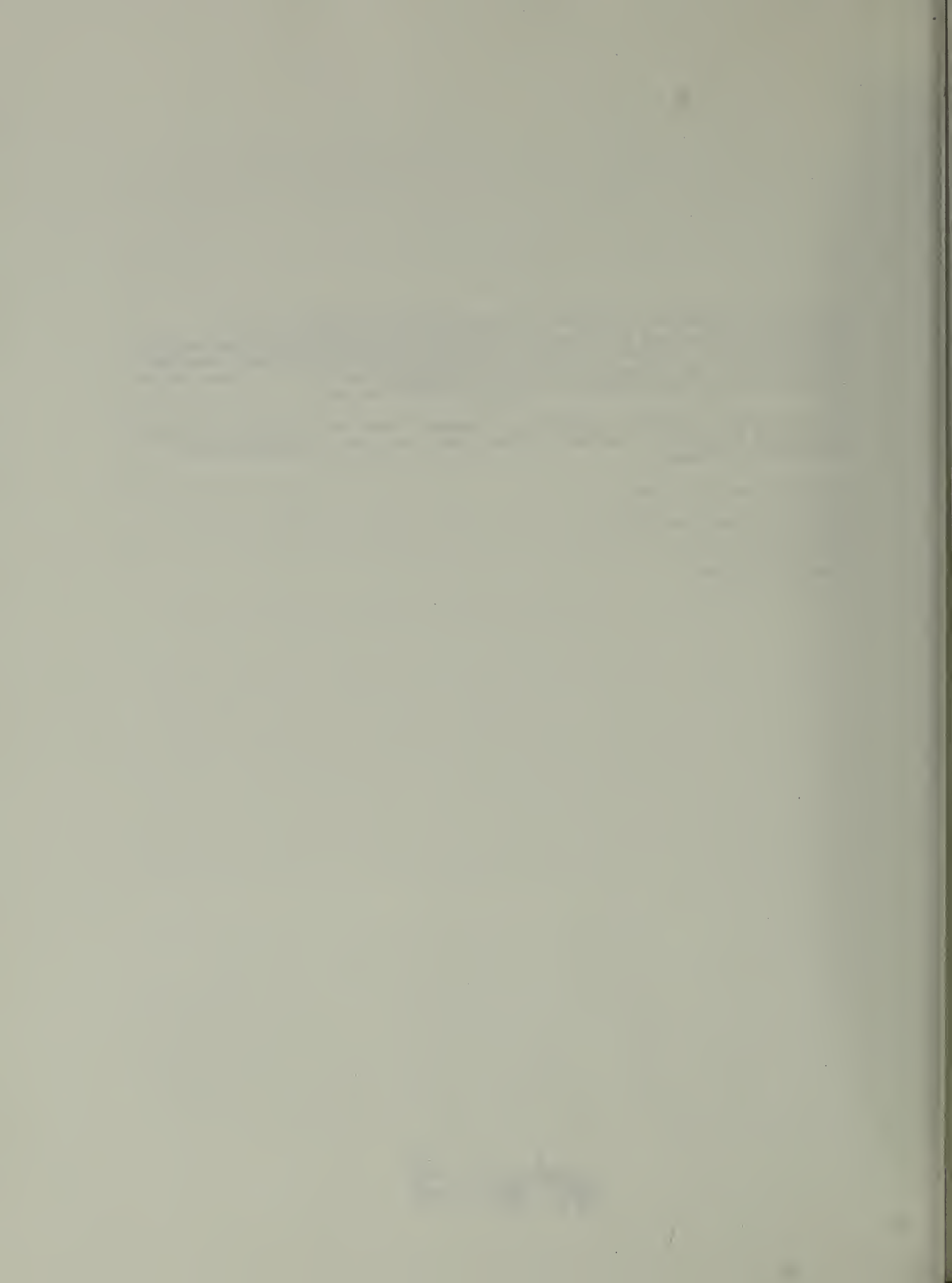
We are looking forward to receiving a response from the Elections Commission. Especially in light of possible further legal recourse, we appreciate an articulated response.

Thank you for your time.

With the highest regards,

For localParty.Org
Fredrick Schermer

#6.3



ELECTIONS COMMISSION
City and County of San Francisco



Gerard Gleason, President
Richard P. Matthews
Joseph B. Phair
Rosabella Safont
Arnold Townsend
Winnie Yu

John Arntz
Director of Elections

Shirley Rodriques
Commission Secretary

September 17, 2008

Mr. Fredrick Schermer
LocalParty.org

Dear Mr. Schermer,

I apologize for the delay in response to your communication to the San Francisco Elections Commission. I wanted to provide you with the courtesy of a reply sooner. I brought your letter addressed to the Elections Commission to the attention of all members before the August 20th regular meeting of the Commission. At that meeting, no member of the Commission brought forth a motion to act on the particular issues your letter addressed. The Commission directed me to communicate to you that the issues you mention in your letter are not within scope of the duties which the Elections Commission is empowered to address.

I certainly understand you have researched the issues you brought up. I can only encourage you to conduct further research regarding public agencies, legislative bodies or other authorities that might provide the remedies you seek. Because I cannot address each point you brought up in your communication, I can only reiterate that the scope of the issues are not within an area the Election Commission is empowered to address.

Sincerely,

Gerard Gleason
President, Elections Commission

#7.



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<info@localparty.org>

09/17/2008 08:59 PM

Please respond to
<info@localparty.org>

To "Elections Commission" <Elections.Commission@sfgov.org>

Paul Platt <djplatus@gmail.com>, Austin Petersen

cc <austin.petersen@lp.org>, contact@sfgop.org, CC

<cc@sfgreens.org>

bcc

Subject Re: We sent a request to the Elections Commission. When
should we be hearing a reply?

Dear Ms. Rodriques,

Thank you for that response, though we believe the response does not address what we requested. Apologies therefore for our failure to communicate our request better. We believe the Elections Commission - according to its own information - is the correct organization, and also that there are no two ways around it. We therefore kindly request a response whether the following is true or not, for that will indicate for both parties whether the Elections Commission is indeed the authority to address the issue we asked it to address:

According to the information provided by the Election Commission itself, we are given the information that the Elections Commission must follow the City Charter which authorizes the Elections Commission to supervise the City's Department of Elections. We believe that this authorization can only come with the responsibility to fulfill all supervising duties as described, including communications about the legal correctness how elections are executed. Because of this authorization it is the Commission that sets the general policies for the Department. The Elections Commission also selects and supervises the Director of the Department of Elections. As such, the Elections Commission is or is part of that governmental organization that reviews whether the elections for the San Francisco Board of Supervisor are in compliance with the Constitution of the United States, and this commission would therefore give directions to those involved, including - when so needed - those that authorized the Elections Commission in the first place, to inform and address others involved with the electoral procedure with the request to comply with the United States Constitution when it learns about a lack thereof.

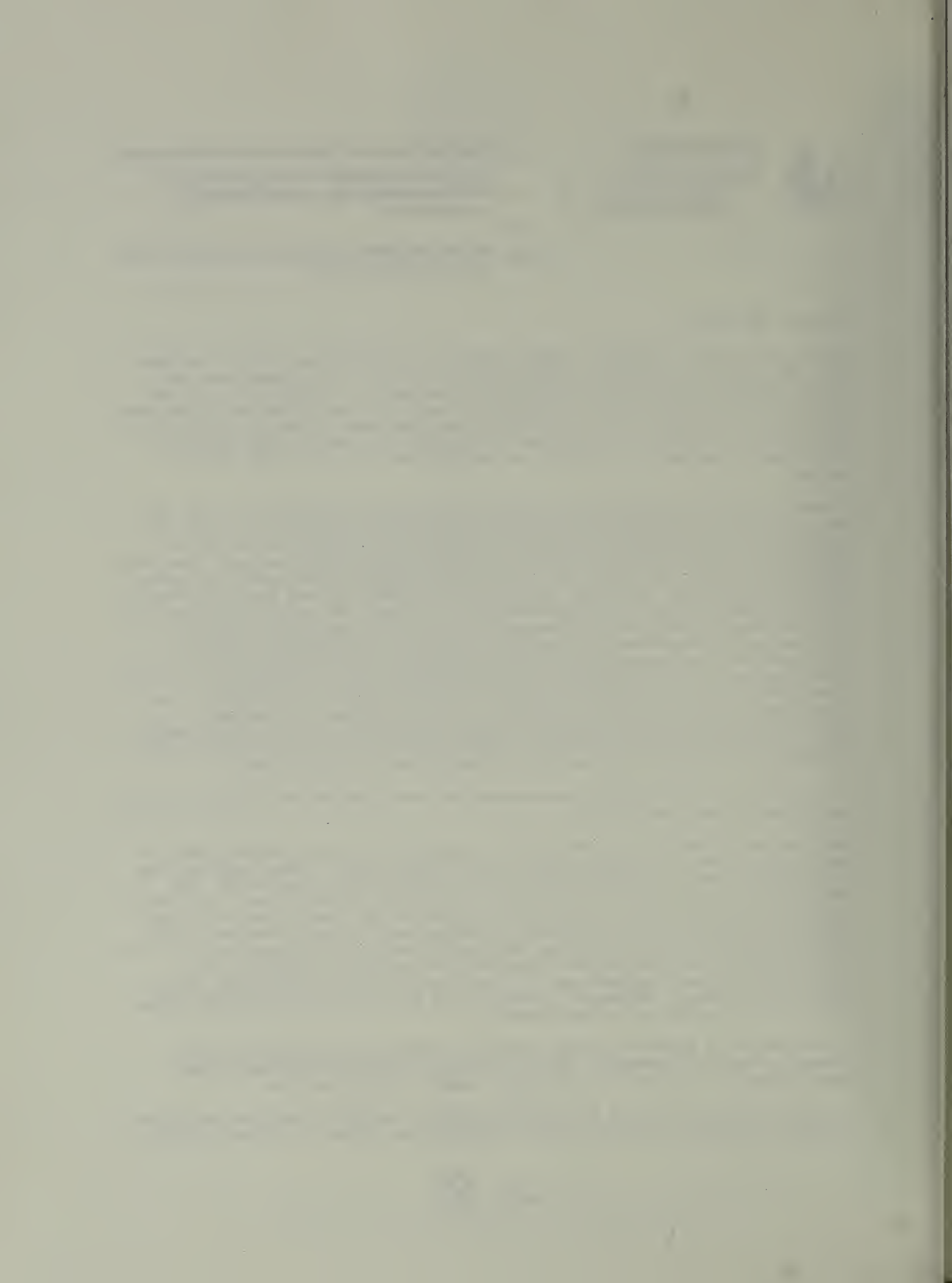
In our own words: we believe no governmental organization can function outside the United States Constitution.

When any such organization learns about a function of the government that is performed outside the United States Constitution it must either address that functioning itself or address this with the appropriate organization. We mention with respect that we could have gone to the police to have this issue addressed, but given their full agenda we believe the commission is the more appropriate governmental organization. Whether very closely involved or only closely involved, we know that the Elections Commission is indeed nvolved with the Supervisor Elections in San Francisco and therefore requesting the commission is a more logical step to have these elections follow the United States Constitution. We expect no member will shy away from addressing issues stated in the United States Constitution.

We believe it is common knowledge that all members of the commission have signed a paper when accepting their position to uphold the United States Constitution or consider this a natural aspect of that position.

We hope to receive a reply from you that either indicates the Commission does not need to uphold the United States Constitution or that its members believe

4 8.

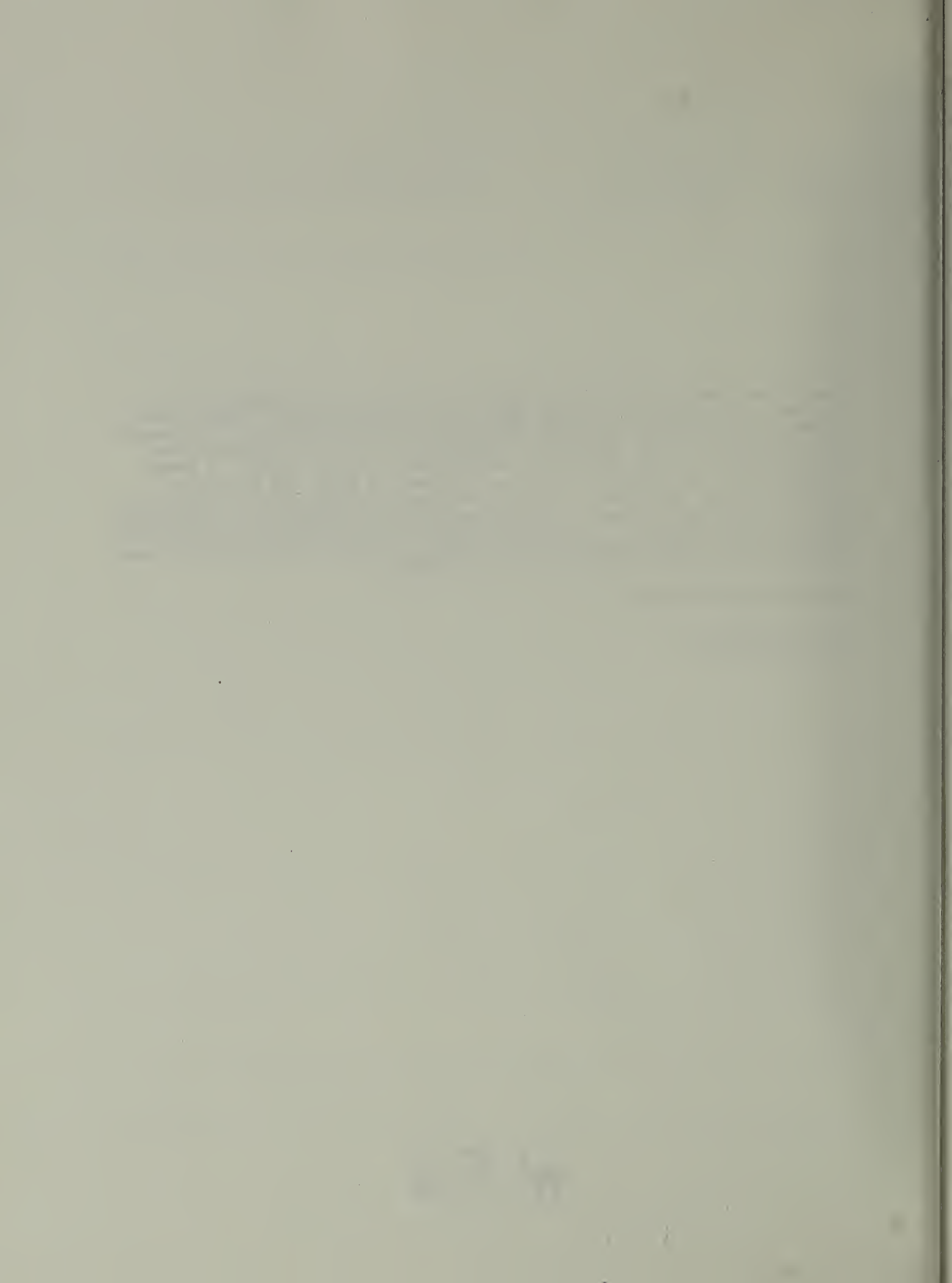


they do not need to uphold the United States Constitution, directly or indirectly. The reply we received thus far is unarticulated in light of our request. Again, our apologies for not communicating more clearly. The issue of fair elections at local levels is a complex issue, but we are certain the Constitution leaves no doubt about what should be in place today. If needed, we can present the commission with more information about the difference between district elections, city-wide elections, and proportional elections, but it is paramount to hear from the commission first whether they acknowledge their duty to - directly or indirectly - uphold the United States Constitution or not. Without that information, we consider it a fact that we have not heard back from the Elections Commission on our request.

With the highest respect,

For Localparty.Org
Fredrick Schermer

8.1





<info@localparty.org>

09/20/2008 01:00 PM

Please respond to
<info@localparty.org>

To "Elections Commission" <Elections.Commission@sfgov.org>

aul Platt <djplatypus@gmail.com>, Austin Petersen
cc <austin.petersen@lp.org>, contact@sfgop.org, CC
<cc@sfgreens.org>

bcc

Subject The new issue between LocalParty.Org and the Elections
Commission.

Dear Ms. Rodrigues,

After our entire team met, we decided to email you once more with our current position and action plan. We hope you can provide this information to the Elections Commission. We will contact you in a few weeks time to hear the response (or to hear if there is a response) from the Elections Commission. Thank you for your time.

Best regards,

Fredrick Schermer
LocalParty.Org

Dear Elections Commission members,

Thank you for your reply of September 17, 2008. We are happy to have received that communication from you, but it leaves us with a new issue with the Elections Commission.

Issue:

After receiving notification of a possible discrepancy between the United States Constitution and the San Francisco Board of Supervisors' electoral system, the San Francisco Elections Commission decided to take no action towards addressing or at a minimum investigating the mentioned possible discrepancy. From the minutes of the August 20, 2008 meeting, one can tell that LocalParty.Org had addressed an issue that the Commission did not fully understand but knew it involved a possible discrepancy with the United States Constitution, yet no inquiry or any other kind of investigation was instigated.

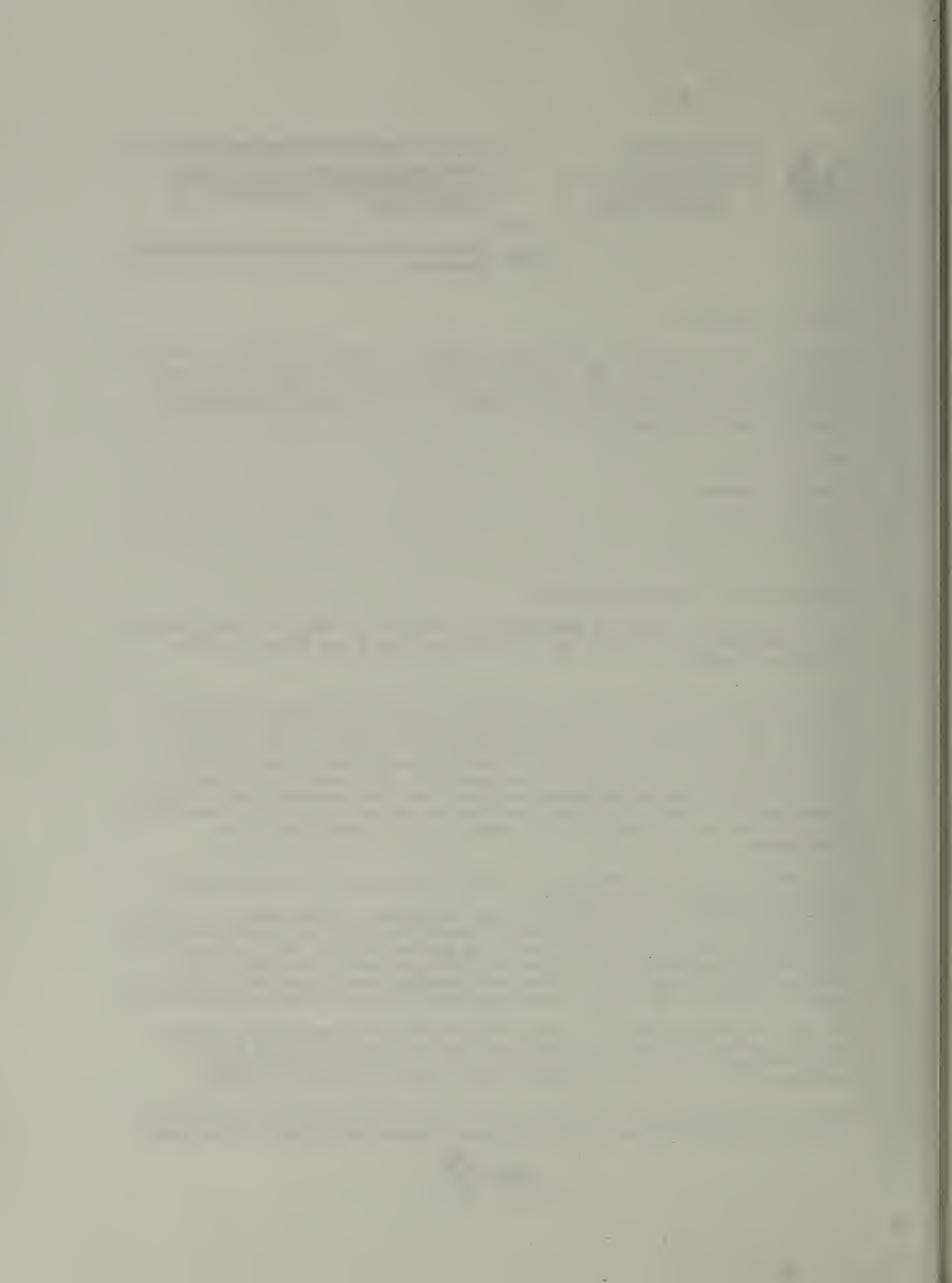
The legal recourse that this issue prompts us to view as our next step is captured in the following question:

Must a governmental organization act and investigate if not address when it learns that it or another governmental agency is not in full compliance with the United States Constitution, and if in general this is not the case, must a governmental organization in a specific field act and investigate if not address when it learns that another governmental agency from within that specific field is not in full compliance with the United States Constitution?

We hope you realize that this legal recourse does not contain our request itself, rather it pertains to the nature of our request with it being a notification to you of a possible discrepancy with the United States Constitution, and this notification itself already requires an action.

Where our initially mentioned legal recourse involved an issue on which the Supreme Court has not yet ruled, the legal recourse mentioned in this email

#9



has already been decided by the Supreme Court: a job or function is more than what is mentioned in a contract or the specifically described authorization. Next to that, when in function for the government one must sign a contract that is either directly a vow to uphold the United States Constitution or indirectly so, when vowing to uphold the California Constitution. On top of that, upholding the United States Constitution can be considered a natural aspect of your authority and functioning, and one that is not based on whether or not it is convenient for you to uphold. As we believe you know, 'upholding' points to a pro-active function that goes beyond merely 'holding' something. Though we feel uncomfortable pointing out to you what your functioning is, we consider it common understanding that the Elections Commission did not receive its authorization in a vacuum nor does this authority exist in a current state of a vacuum in light of San Francisco's elections.

The action we expected as a natural part of your functioning was at a minimum to notify the appropriate governmental organization or investigate the reasoning we brought before you yourselves. Naturally, we desire more than that, but we believe that this minimum must at least be met. Not our action, but your knowledge of a possible discrepancy of the existing local electoral system with the United States Constitution should have been followed by an action of some kind.

Since our request was not understood nor seen as important by the Elections Commission, we fear this second issue will also not be understood or seen as important by the Elections Commission. We therefore provide you an example of the current issue: Must a police officer, when receiving notification of a possible fire, act to notify the fire department, or not? And must the fire department, when receiving notification of a possible fire, act and at minimum investigate the situation, or not? To complete the police officer's duty in question: must the police officer act until he or she knows the issue is acted upon (with at a minimum an investigation into the situation) by either him- or herself, or the fire department?

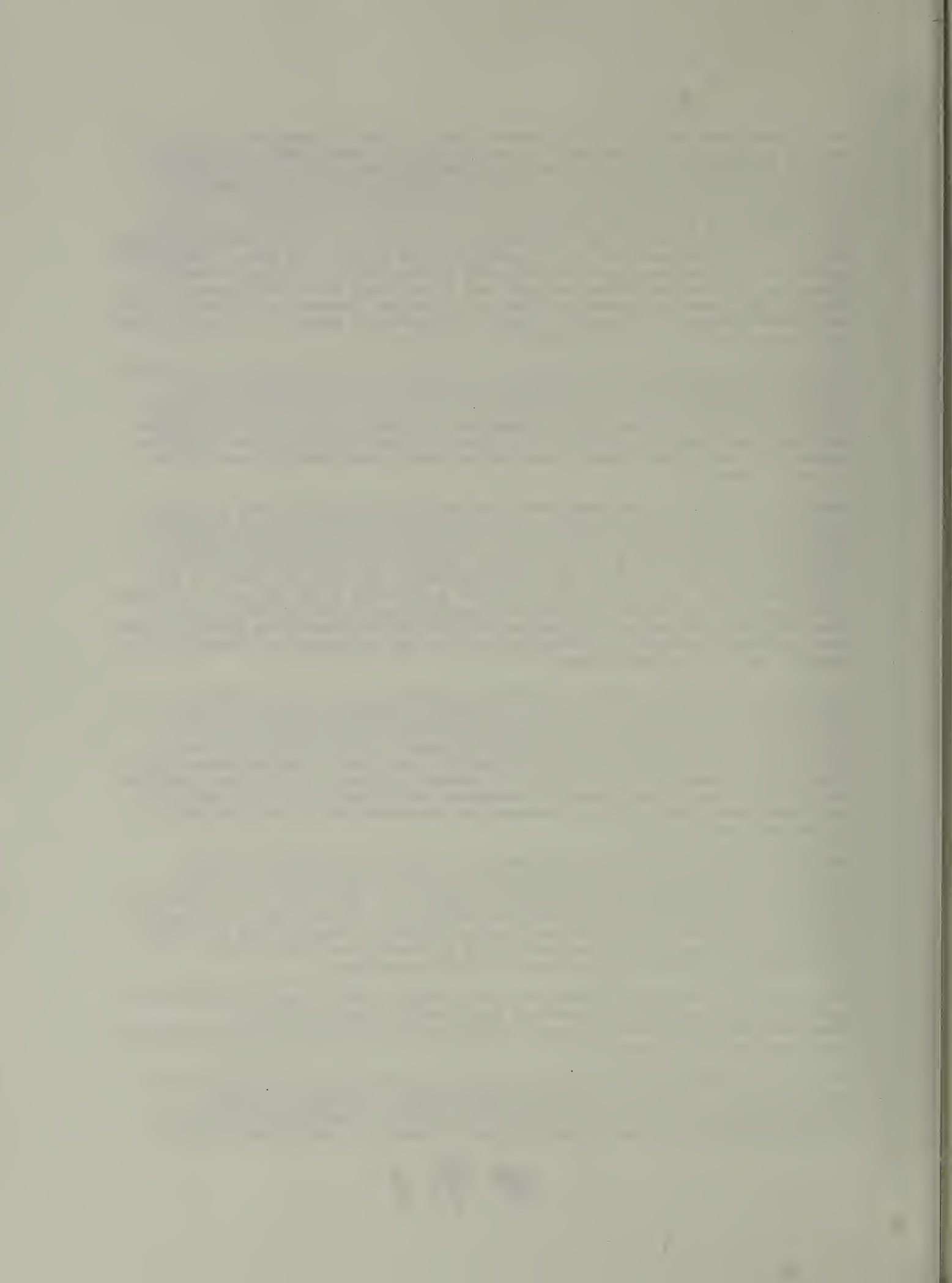
We believe that there exists a must-must situation here; if the second governmental organization (the fire department) must act with at a minimum an investigation into a possible situation, then the first governmental organization (the police officer) becoming aware of the possible situation must also act and notify that second organization, and if needed repeatedly. There may be reasoning to not have this demand in place at all times, yet when occurring at the highest level (of emergency or of law) as is the case with our issue, such demand (of at a minimum an investigation in the possible situation) always exists.

Naturally, LocalParty.Org will assist you in understanding why the San Francisco Board of Supervisors' electoral system is in conflict with the United States Constitution if you would request our help. We look forward to a dialog in which you can learn about the particulars of fairness as contained within proportional elections that does not exist in district nor so called city-wide elections, and we can also show you where the United States Constitution is clear on this issue for local elections.

We will wait a reasonable amount of time to hear a reply from you whether you agree or disagree with our reasoning that you must comply with the Constitution of the United States and that your functioning includes upholding that most important institution.

As a final remark, Fair Vote may be bringing proportional elections to North America soon. A legal recourse the Quebec chapter initiated to having first-part-the-post (district elections) be declared unconstitutional is currently before the Quebec Superior Court. Naturally, the Quebecois have a

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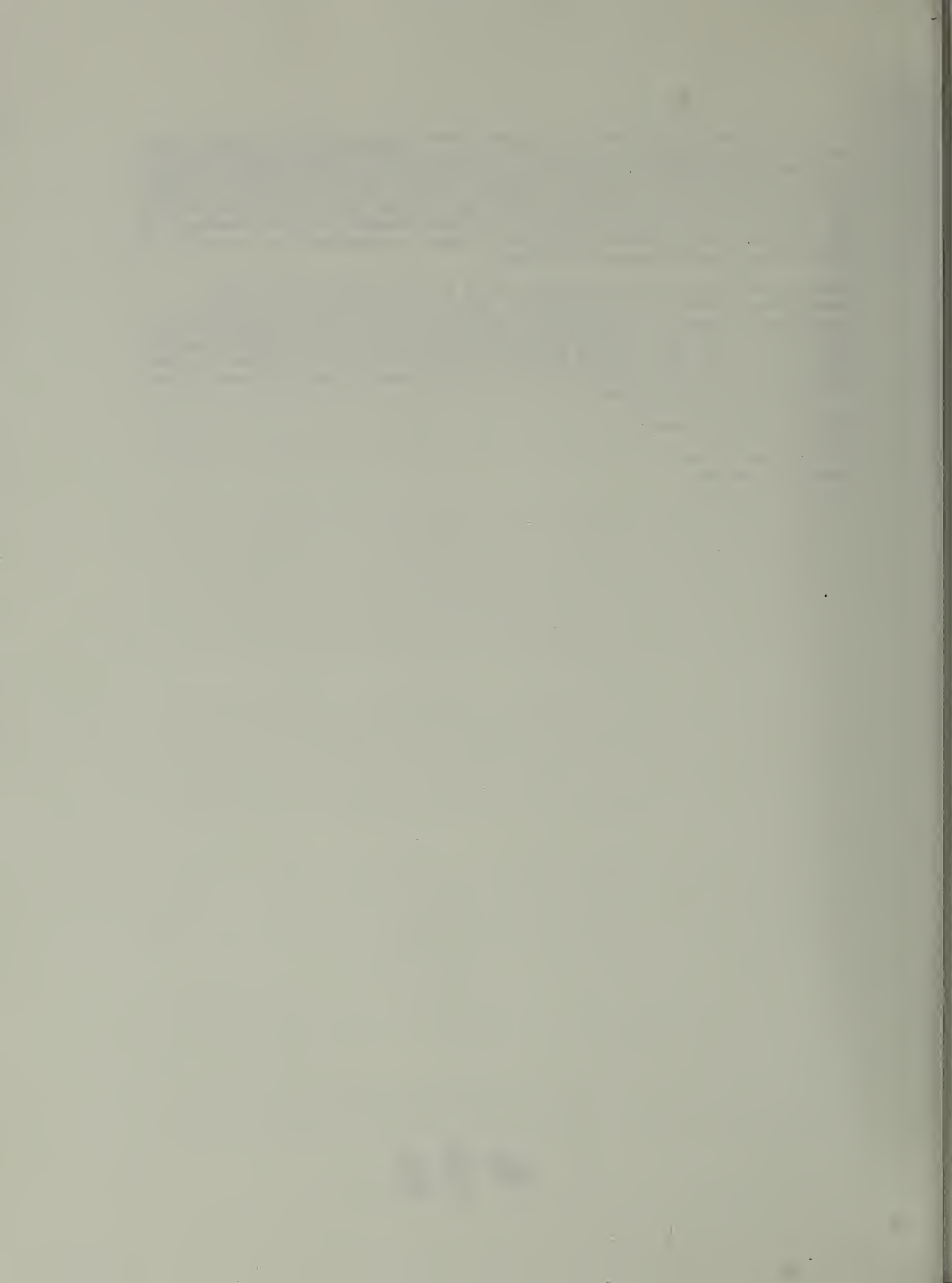
different Constitution, and our Supreme Court already ruled in general that proportional elections do not need to be put in place (the Supreme Court did not yet rule in specific about proportional requirements at the local level). Meanwhile, the British Columbian chapter of Fair Vote is bringing this issue to the voters in that province for the second time. With a threshold of 60%, the request was previously defeated with just 2% short of that threshold. On May 12, 2009, the citizens of British Columbia are expected to vote a proportional voting system into place.

Knowing the nature of San Francisco to be at the front lines of new developments, and given the nature of fairness that only proportional elections is capable of delivering, we hope you are aware of the historical opportunity that you can currently fulfill as vanguards in establishing of what is an unavoidable future for the citizens of the United States at their local levels. As should be clear by now, the reason to act is found in the United States Constitution.

With the highest regards,

For LocalParty.Org
Fredrick Schermer

9.2



Elections Commission

LISTEN

TEXT ONLY

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October 1, 2008*City and County of San Francisco***Elections Commission**

Approved: 10/15/08

Minutes of the Meeting held**City Hall, Room 408****October 1, 2008****GOVERNMENT
DOCUMENTS DEPT**

JAN - 8 2009

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1. President Gleason called the meeting to order at 6:06 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Rosabella Safont, Malcolm Yeung, Joseph B. Phair. Commissioner Arnold Townsend arrived at 6:20 pm, Deputy City Attorney Mollie Lee and Director John Arntz.
3. **Introduction of new member to the Elections Commission.** President Gleason introduced the new Board of Education Appointee to the Elections Commission, Malcolm Yeung.

Commissioner Yeung gave a brief history of his background which includes working as a civil right attorney, primarily representing low-income immigrants and San Francisco citizens of color for the past five years, working on voter identification requirements, language access compliance, and multi-lingual exit polling with a statewide coalition.

4. **Announcements.** President Gleason informed the public and Commission that he has spoken with Commissioner appointing authorities regarding the need to fill vacancies on the Elections Commission. He said that recently these authorities have been cooperative and responsive. He reminded the members that a new Commission President will be elected in the upcoming weeks and said that he hoped that person would take the initiative and continue to work with the authorities when vacancies occur.

Public Comment. *Brent Turner* gave us an article regarding the Secretary of State and open source software. He asked the Commission Secretary to forward it to all members. Additionally he said that he hoped the City and the Commission would continue plans for an Open Source Taskforce.

5. **DIRECTOR'S REPORT**

Preparations for November 4, 2008 General Election. Director Arntz reported that the

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voters information pamphlet (VIP) is on line and that most of the ballots have been printed. The mailing of the VIPs has begun, over 5600 overseas ballots have been sent (this is more than ever before), early voting begins this coming Monday, the Logic and Accuracy Testing has begun for the new equipment and software (although certification has not yet been approved), the phone bank began last week and receives several hundred inquiries daily, there will be an Open House on October 15 from 3:00 pm to 5:00 pm, there will be a candidate training workshop on the same day from 2:00 pm to 3:00 pm regarding electioneering, the pollworker manual is now on line, polling sites have been confirmed and there have been 38 location changes from the last election. Regarding the polling sites, fifteen have been upgraded due to accessibility or size issues. Routes are being organized for delivery of voting equipment, 3000 pollworkers have been scheduled for training, clerk classes have begun, language assistance goals for the polling sites have been met (800 Chinese and 250 Spanish speaking workers).

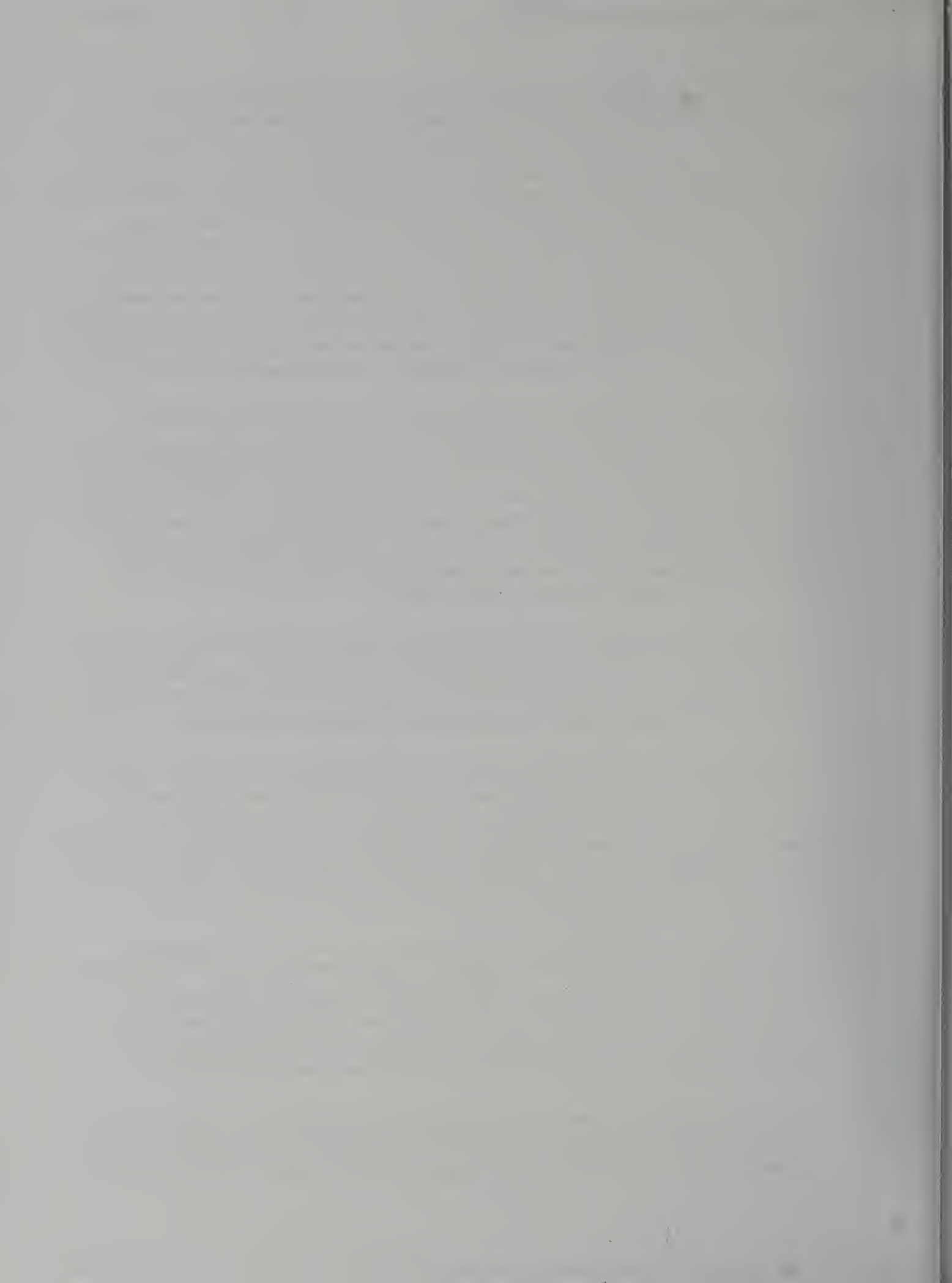
Commissioner Phair asked for an update of the voting equipment certification process. Director Arntz replied that the hearing lasted only 30 minutes, there were no speakers against the proposed equipment and one person spoke in favor of certification of the equipment for use through out the state. The Secretary of State (SoS) could grant an conditional certification for the equipment to be used in San Francisco as early as this Friday. It is expected that this will happen because the system has performed well. The Director added that the vendor, Sequoia Voting Systems was more responsive during the certification process than the previous vendor, Election Systems & Software (ES&S).

Commissioner Phair asked the Director what was the subject of the calls that the phone bank has been receiving. Director Arntz replied that most of the calls were inquiries about voter registration status. He said that the Department plans to train high school student volunteers to look up this information, and polling site locations for callers on election day.

Commissioner Matthews asked if the number of new registrations was increasing. Director Arntz answered that the numbers have been steady but he expects them to increase as election day draws closer, and reminded the Commission that there are twenty more days before the deadline to register. Director Arntz reported that the Department is currently getting about 1000 registrations a week. Currently the number of registered San Francisco voters is approximately 433,000, which is about 6000 more than those for last June's election.

President Gleason asked if registrations postmarked on October 20th will be registered. Director Arntz said that they would be registered. President Gleason asked if the registrations received at the Department of Motor Vehicles (DMV) on October 20th and then sent to Sacramento would be honored. Director Arntz responded that if the Department receives notification from the state after the deadline, that a registration was received before the deadline, then it will be processed as such by the Department, even after the election.

Director Arntz outlined the Department's outreach efforts: staff attend community meetings and events; special ethnic media outlets like radio, television and print are contacted; public service announcements and interviews are given; bus shelter ads are posted and community



colleges are contacted. He said that low voter turnout areas are also being targeted. Something new for this election will be "Registration Weeks" – in which press releases will announce that staff will be at certain locations/points in the City on predetermined and announced dates and times with the focus being providing registration information. This will begin next week. Director Arntz said that the Department has been working successfully with the Housing Authority in these efforts. The Ex-offender information has been the most requested of all materials available for outreach.

Precinct Services/ADA is preparing a large print VIP which will be on the Department's website by Friday. This took a lot of work to reformat the VIP from its current format into the larger print.

Commissioner Yeung commended the Department on its great outreach efforts and asked if the Department of Elections has worked with TV Channel 26 which, he said, has a large audience. Director Arntz said that the Department has worked with that station when it has asked for interviews, however the print media has been more active during elections.

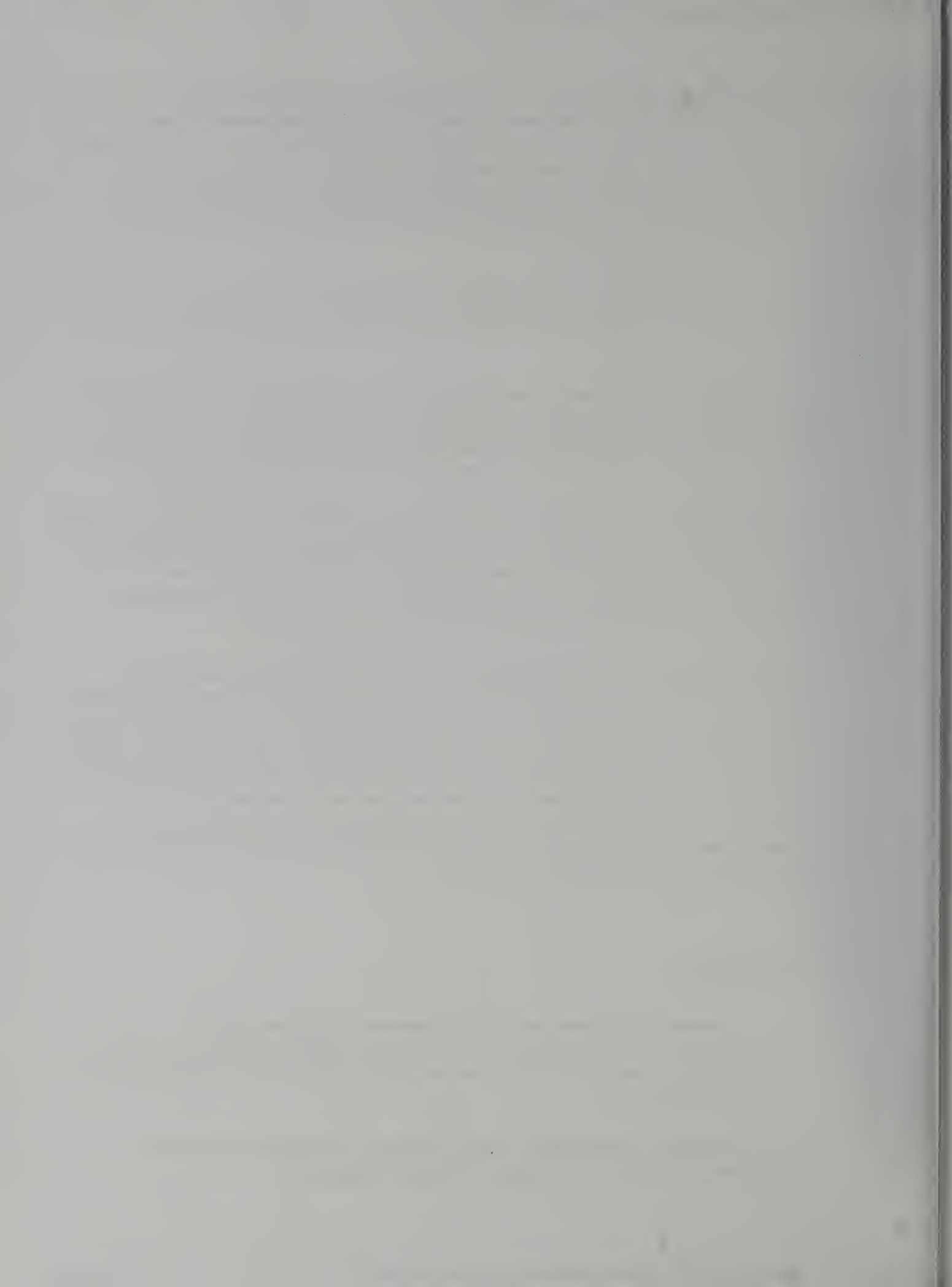
Commissioner Townsend reported that he attended the NAACP General Membership meeting on Sunday, and Charlie McNulty from the Elections Department, was on the program and gave an outstanding, in depth explanation of Ranked Choice Voting (RCV). The Commissioner suggested that the Department and Commission consider the subject of "getting out the vote" at a meeting after the November 4, 2008 election.

Commissioner Phair asked what materials does the Department have to explain RCV. Director Arntz said that the Department has found that the subject is difficult to understand on the first explanation. For this election a mailer will be sent to those voters who have to make an RCV selection on their ballot, the Department's website offers a flash media demonstration on RCV and a PSA (Public Service Announcement) that was produced a few years ago may be used as well. The Director said that he was surprised that the people who work on the campaigns don't understand RCV as much as they should so that they can explain it to potential voters. Commissioner Phair said that the concept of RCV must be explained and understood as well as the physical act of voting.

6. NEW BUSINESS

a. **Discussion and possible action to approve the Minutes of the September 17, 2008 Commission Meeting.** Commissioner Gleason MOVED and Commissioner Safont SECONDED this item. The Roll Call Vote was UNANIMOUS to approve the minutes.

b. **Discussion and possible action regarding Commission response to communications from members of the public. [Gleason]**



President Gleason called the members' attention to a series of communications from "info@localparty.org" in tonight's meeting packet.

Commissioners acknowledged that they had read all the communications and agreed with the response President Gleason sent. The group "info@localparty.org" did not agree with the response and restated their case. The Commission response remains the same.

Commissioner Phair MOVED and Commissioner Matthews SECONDED that the following be policy for handling communications from members of the public:

That the Commission Secretary should handle all correspondence addressed to the Commission as follows: (1) Forward the correspondence to all members of the Commission, unless the material is "spam" or a communication that clearly should be directed to the Department of Elections; (2) Respond to sender by acknowledging receipt of the communication and informing the sender that the communication has been sent to the Commissioners. The reply should also inform the correspondent of the next meeting of the Commission, complete with the date, time and location, and advise the correspondent that they are welcomed to attend the meeting as a member of the public and discuss the matter further with the Commission during public comment.

The Roll Call Vote was UNANIMOUS to institute this policy.

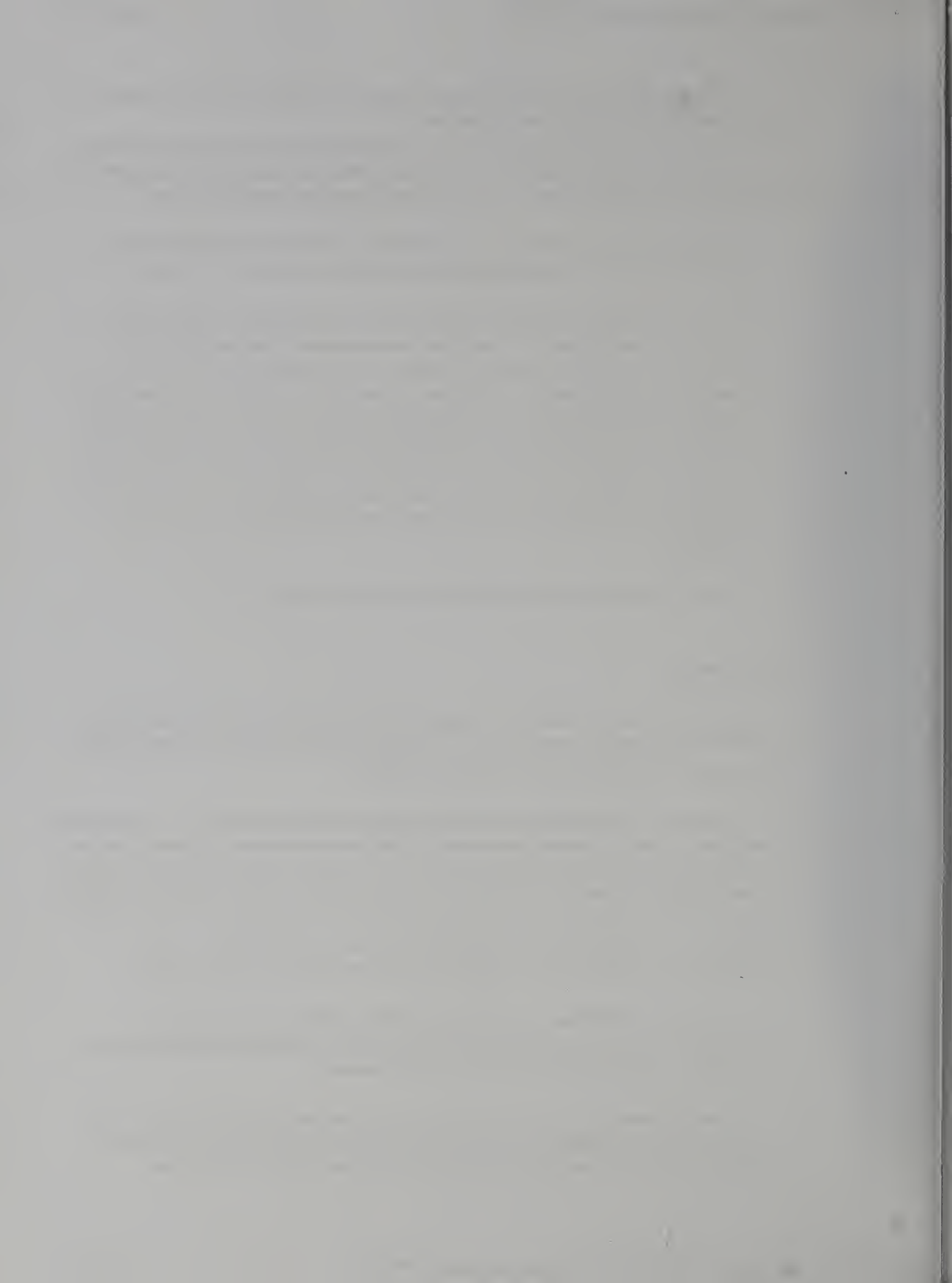
7. OLD BUSINESS

a. **Discussion and possible action regarding preparations for the November 4, 2008 General Election.** This item is a standing item until the election and there was no discussion. CARRIED OVER until the next meeting.

b. **Discussion and possible action regarding Commission member activities and observations regarding November 4, 2008 General Election.** President Gleason reminded members that they should not drop in on pollworker training classes but should schedule their attendance for the classes. At the October 15, 2008 Commission meeting there will be discussion about what Commissioners want to observe for the November 4 election in preparation for the Commission's evaluation of that election. The Commission Secretary will be giving out the observer badges for Commissioners.

Commissioner Matthews asked Director Arntz if restricted areas will permit badged Commissioners entry. Director Arntz said that he will make a decision whether an additional badge from the Department will be needed.

Public Comment. *Brent Turner* said that things like the Logic and Accuracy Test and the Audit of the election are not as open as he would like them to be to the public, and he certainly would like these areas completely open to the Commissioners.



Chandra Friese invited the Commissioners to an October 22 and 25 event that will be informative regarding observations on election day. Ms. Friese will forward information to the Commission Secretary.

c. Discussion and possible action regarding criteria for Commission post-election evaluation of election plans and conduct of election.

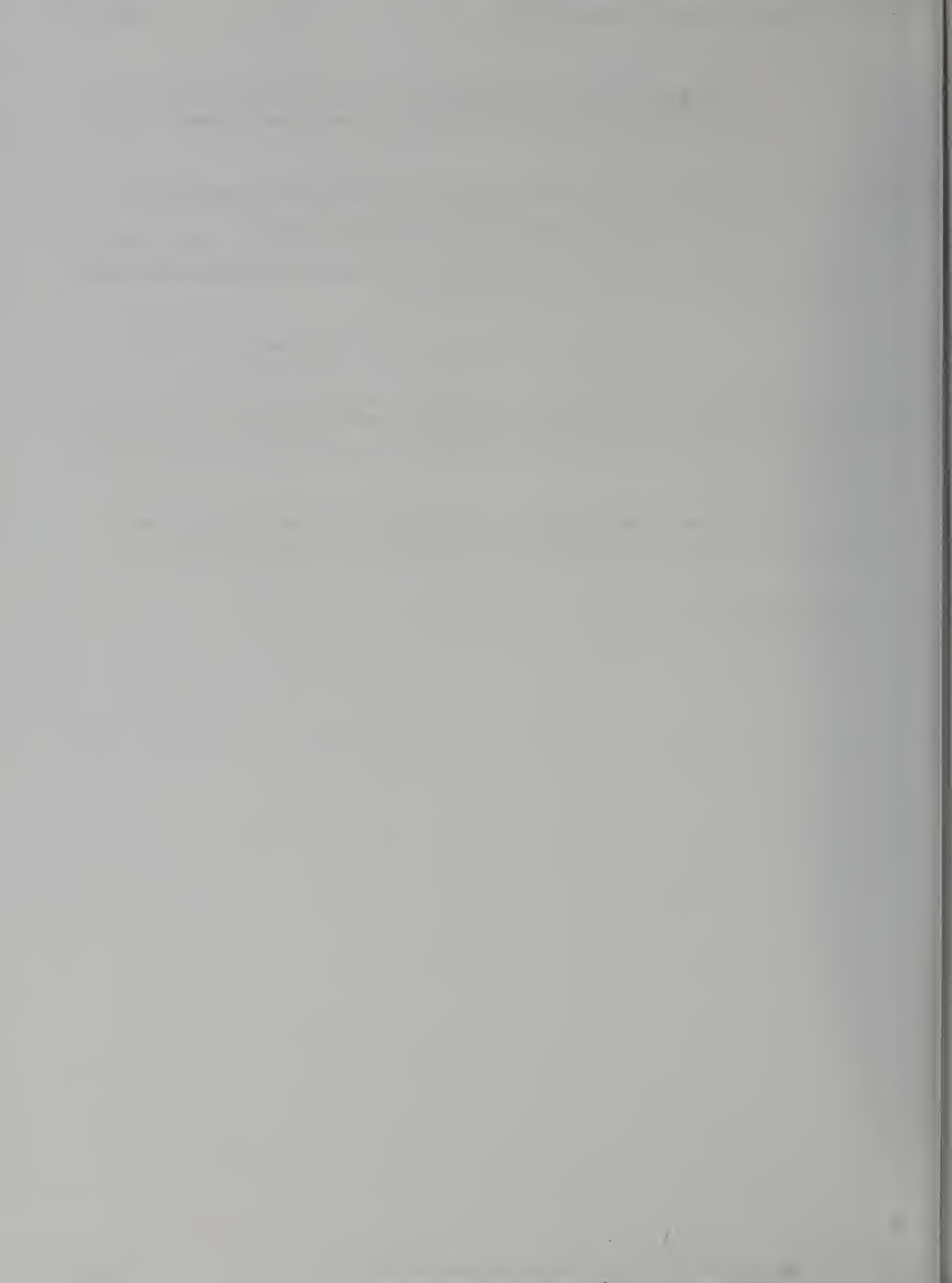
[Phair] Commissioner Phair said that he prepared a short outline of the criteria for evaluation of the plan and the conduct of the election. He will provide the material for the packets for the October 15, 2006 meeting for discussion at that time.

This item is CARRIED OVER until the October 15, 2006 meeting.

8. Discussion regarding items for future agendas. Commissioner Matthews suggested a resolution thanking the Ballot Simplification Committee and The Deputy City Attorney for their work on the November 4, 2008 General election. Commissioner Matthews is to draft the resolution.

Commissioner Townsend suggested that after the November election the Commission should have a discussion regarding an outreach committee and an effort to get out the vote.

ADJOURNMENT was at 7:23 pm.



Elections Commission

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October 15, 2008

Elections Commission Meeting
Wednesday, October 15, 2008
At 6:00 pm
City Hall Room 408

Order of Business

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1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction.
4. Presentation of Resolution thanking the Ballot Simplification Committee and the Deputy City Attorney for their work on the November 4, 2008 General election.
5. DIRECTOR'S REPORT

- | |
|--|
| <ul style="list-style-type: none">• Preparations for November 4, 2008 General Election |
| <ul style="list-style-type: none">• Update of certification by the California Secretary of State of voting system for use and tabulation of Ranked Choice Voting ballots |

6. Commissioners' Reports
 - Meetings with public officials
 - Oversight and Observation activities
 - Long-range planning for Commission activities and areas of study

MEMORANDUM
FOR THE RECORD

DATE: 1/1/50

FROM: MR. TOLSON
SUBJECT: [illegible]

7. NEW BUSINESS

- a. Discussion and possible action to approve the Minutes of the October 1, 2008 Commission Meeting.

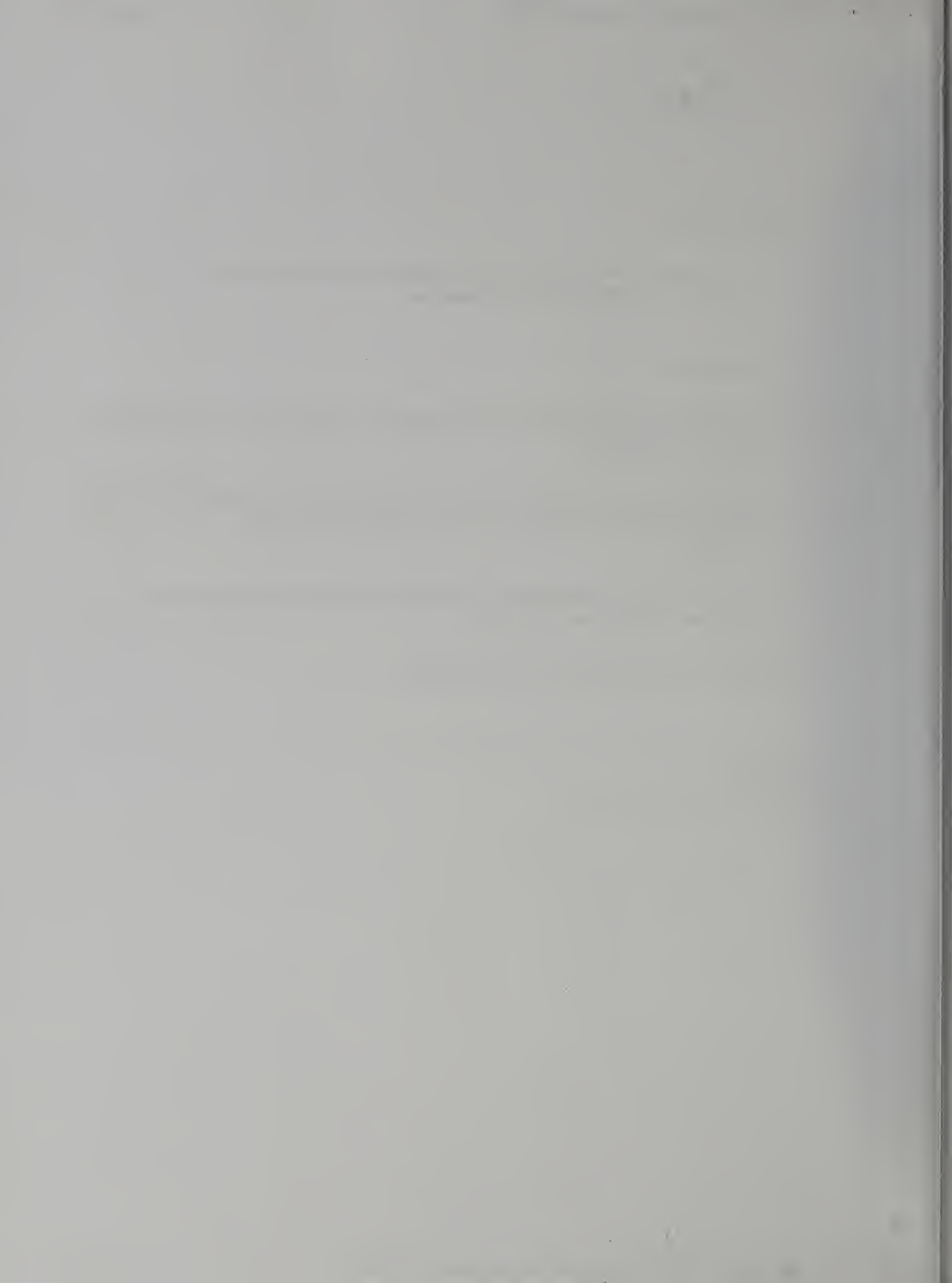
8. OLD BUSINESS

- a. Discussion and possible action regarding preparations for the November 4, 2008 General Election.
- b. Discussion and possible action regarding criteria for Commission post-election evaluation of election plans and conduct of election.
[Phair]
- c. Discussion of Commissioner assignments and observations for the November 4, 2008 General Election.

9. Discussion regarding items for future agendas.

Adjournment

Complete packet for this meeting



"If any materials related to an item on this agenda have been distributed to the Elections Commission after distribution of the agenda packet, those materials are available for public inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, during normal office hours."

Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are: #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Station at Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-4100. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the vicinity of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Community Center.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats for the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4388 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may also be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at a meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements



Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.



Resolution

Commending the Members of the Ballot Simplification Committee and its Legal Counsel who served for the November 4, 2008 Consolidated General Election

WHEREAS, elections in San Francisco include a large number of ballot measures, the exact legal text of which can be complex and confusing; and

WHEREAS, the Voter Information Pamphlet must contain summaries of these numerous ballot measures that are clear, understandable, fair, and accurate; and

WHEREAS, the Ballot Simplification Committee and its legal counsel have a very limited amount of time in which to complete their work, bounded by the deadlines for qualifying measures for the ballot and the printing requirements of the Voter Information Pamphlet and ballot cards, and thus work almost daily, and sometimes in full-day sessions, for more than two consecutive weeks; and

WHEREAS, the Deputy City Attorney prepares a draft of 300 words or less when possible, which is then reviewed by members of the Ballot Simplification Committee, whose members have expertise in the use of the English language, and who hold public hearings which citizens and campaign supporters routinely attend in an effort to edit the language, often to their own advantage;

WHEREAS, the Ballot Simplification Committee and its legal counsel consistently provide excellent, reliable, fair summaries of these ballot measures;

NOW THEREFORE, the Elections Commission of the City and County of San Francisco recognizes, by this resolution, the outstanding contribution to the citizens of San Francisco made by the members of the Ballot Simplification Committee for the San Francisco General Election of 2008;

The Elections Commission presents this commendation to Ballot Simplification Committee persons Betty Packard, Darla Chisnell, June M. Fraps, Ann Jorgenson, and Adele Fasick; Department of Elections' Publications Division Manager Barbara Carr; and Deputy City Attorney Mollie Lee, with our thanks for their excellent work for the voters of San Francisco under strenuous and difficult circumstances.

Done this 15th day of October 2008

Gerard Gleason

President, San Francisco Elections Commission

I so attest:

Shirley Rodrigues

Secretary, San Francisco Elections Commission

The first of these is the fact that the population of the United States has increased from 22,649,000 in 1880 to 76,000,000 in 1900.

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The fourteenth is the fact that the population of the United States has increased from 22,649,000 in 1880 to 76,000,000 in 1900.

San Francisco Elections Commission

BOPEC Materials for Discussion Possible Areas for Election Reviews July 21, 2008 Draft

Election reviews should focus on subjects and issues that relate to confirming that the subject election is Free, Fair and Functional. Following are some suggestions for areas of inquiry or review following elections:

Department of Elections post-election results:

1. Specific difficulties encountered in the election
2. Number of hand counts and remakes of ballots required and results (number validated, invalidated and reasons therefore)
3. Voter complaints received and actions taken or responses
4. Limitations of DoE facilities, including precincts, pre-election staging areas (for equipment, ballots or other materials), training facilities, ballot processing facilities etc.
5. Fiscal limitations encountered including necessary variations from DoE budgets
6. Number of vote by mail ballots, number invalidated and reasons therefore
7. Number of provisional ballots received and disposition data.

Election Plan

1. [Markers from the Election Plan – need specifics]
2. Deviations from the Election Plan and reasons therefore

Equipment

1. Voting equipment problems, failures or difficulties associated with use

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Elections Commission

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October 15, 2008

City and County of San Francisco

Elections Commission

Approved: November 19, 2008

Minutes of the Meeting held

City Hall, Room 408

October 15, 2008

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1. President Gleason called the meeting to order at 6:04 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Rosabella Safont, Malcolm Yeung, Joseph B. Phair, Deputy City Attorney Mollie Lee and Director John Arntz.
EXCUSED: Commissioner Arnold Townsend.
3. **Presentation of Resolution thanking the Ballot Simplification Committee and the Deputy City Attorney for their work on the November 4, 2008 General election.** Commissioner Matthews described the work that the BSC does for each election along with its legal counsel, and committee clerk. He explained that the Commission has been remiss in not officially acknowledging the Committee's work over the years and especially for this year which had five elections. Below is the Resolution read by the Commissioner:

Resolution

Commending the Members of the Ballot Simplification Committee and its Legal Counsel who served for the November 4, 2008 Consolidated General Election

WHEREAS, elections in San Francisco include a large number of ballot measures, the exact legal text of which can be complex and confusing; and

WHEREAS, the Voter Information Pamphlet must contain summaries of these numerous ballot measures that are clear, understandable, fair, and accurate; and

WHEREAS, the Ballot Simplification Committee and its legal counsel have a very limited amount of time in which to complete their work, bounded by the deadlines for qualifying measures for the ballot and the printing requirements of the Voter Information Pamphlet and

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ballot cards, and thus work almost daily, and sometimes in full-day sessions, for more than two consecutive weeks; and

WHEREAS, the Deputy City Attorney prepares a draft of 300 words or less when possible, which is then reviewed by members of the Ballot Simplification Committee, whose members have expertise in the use of the English language, and who hold public hearings which citizens and campaign supporters routinely attend in an effort to edit the language, often to their own advantage;

WHEREAS, the Ballot Simplification Committee and its legal counsel consistently provide excellent, reliable, fair summaries of these ballot measures;

NOW THEREFORE, the Elections Commission of the City and County of San Francisco recognizes, by this resolution, the outstanding contribution to the citizens of San Francisco made by the members of the Ballot Simplification Committee for the San Francisco General Election of 2008;

The Elections Commission presents this commendation to Ballot Simplification Committeepersons Betty Packard, Dana Chisnell, June M. Fraps, Ann Jorgenson, and Adele Fasick; Department of Elections' Publications Division Manager Barbara Carr; and Deputy City Attorney Mollie Lee, with our thanks for their excellent work for the voters of San Francisco under strenuous and difficult circumstances.

Done this 15th day of October 2008

Gerard Gleason

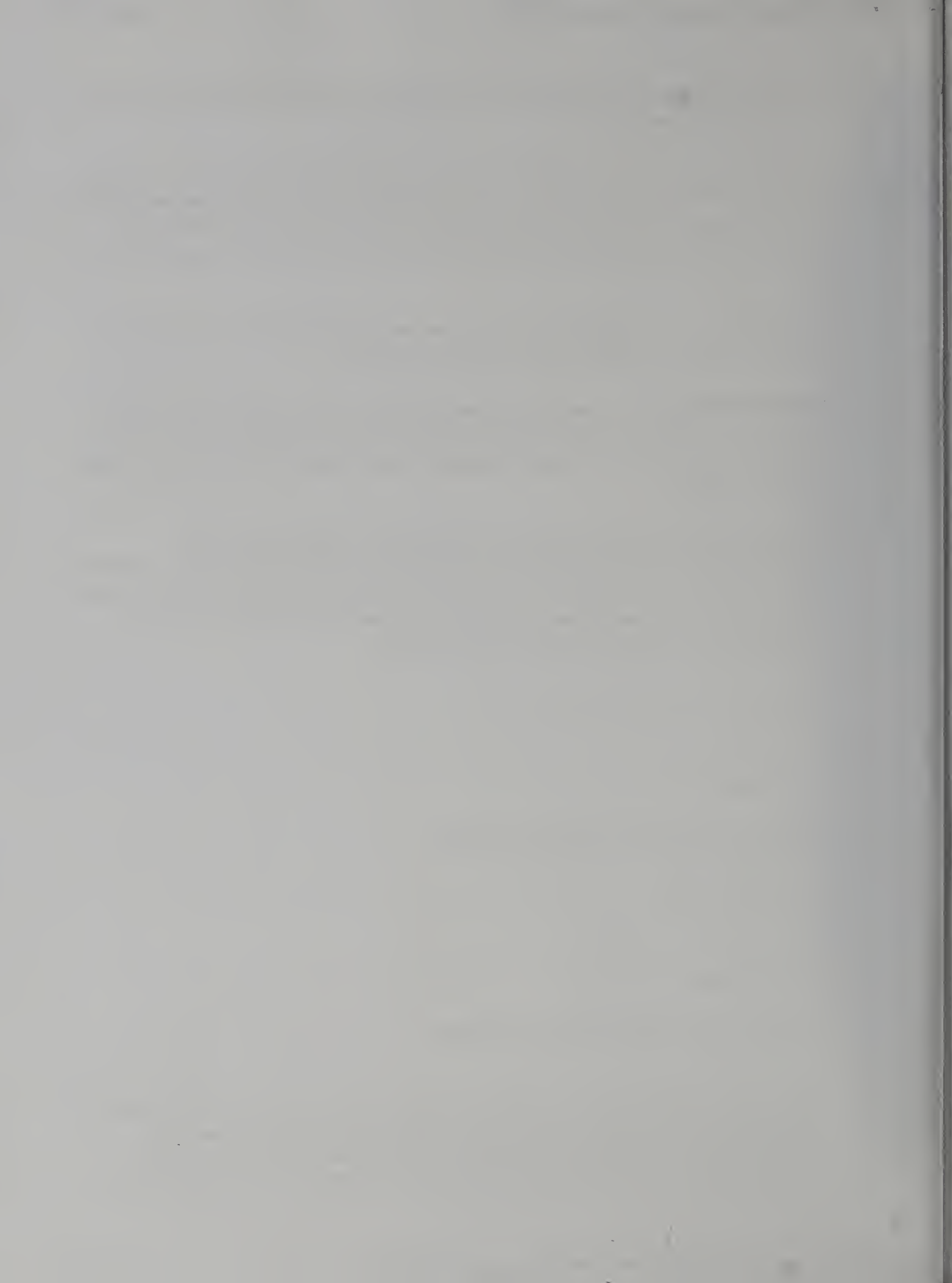
President, San Francisco Elections Commission

I so attest:

Shirley Rodriques

Secretary, San Francisco Elections Commission

Betty Packard, BSC Chairperson, told the Commission that it was a privilege to work with the excellent group of women who have made up the BSC over the past few years. She explained that the Committee has donated two months to the City and County of San Francisco over the last year with no compensation. It has been a big commitment by each



member. In addition, Ms. Packard said that the outstanding assistance of Barbara Carr and John Arntz can't be measured, and that there have been approximately six different Directors or Acting Directors of Elections, with whom she has worked, and that Mr. Arntz is "numero uno".

President Gleason presented each member of the Ballot Simplification Committee a boxed writing pen on behalf of the Elections Commission.

4. DIRECTOR'S REPORT

Preparations for November 4, 2008 General Election. Director Arntz reported that the voting equipment was certified yesterday and the City can now use it for the November 4 election. VIPs (Voter Information Pamphlets) are in the mail, and the Chinese and Spanish VIPs will be sent out shortly. There is a large print VIP on line in English, Spanish and Chinese.

The number of voter registrations continues to increase and currently total approximately 450,000. One Hundred and Seventy Thousand vote-by-mail ballots have been mailed and 7,000 were sent to overseas voters – a record to date. The early voting counter at City Hall has seen 1500 voters to date. Half of all Pollworkers have already completed their training.

Commissioner Matthews asked if the pollworker training is emphasizing discouraging voters from using the DRE equipment unless voters request to use it. Director Arntz replied that every voter will be handed a paper ballot unless s/he requests to use the touch screen. He said this has been made clear in the pollworker training.

Commissioner Matthews reported that he attended training over the weekend and that pollworkers who have worked at previous San Francisco elections appear to be still under the impression that there must be at least five voters at each precinct using the DRE. He said that the reason for this misunderstanding may be that the only mention of the DRE was about setting it up. Another thing Commissioner Matthews noticed at the training session was the absence of information about the additional pages (other than the white pages) of the voter rosters that may contain a voter's name when their name is absent from the white pages.

Commissioner Matthews called the Commission's attention to page 3, item III of the Secretary of State's (SoS) approval, wherein there is a note that the certification is for one time only, and he asked the Director if the certification would likely be approved after the November election, for the duration of the contract. Director Arntz replied that the equipment must still go through the Election Assistance Commission process which has yet to be completed. Full certification will probably be considered by the SoS in January.

President Gleason listed procedures which are expected in the Election Plan and asked the Director to confirm that they were unchanged. These include Ballot handling, Ballot path, making of the remakes, and the three scenarios that determine remakes. The list is:

Vote-by-Mail Ballots:

All vote-by-mail voters receive a paper optical scan ballot.

Precinct Ballots:

All precinct voters will be handed a paper optical scan ballot, with a verbal reminder that accessible voting via the Edge (touchscreen/DRE) is available.

Precinct Ballots / Optical Scan

At the close of polls, vote totals for all precinct optical scan ballots placed in the Insight machine will have a tabulation total printout (tape). This tabulation will be for all contests and measures, with the exception being the tabulation of Ranked Choice Voting (RCV) contests, which will only report the tabulation of First Choice. Images of First Second & Third choices on RCV ballots will be captured by the Insight memory unit. Insight memory units will be secured and delivered to the Department of Elections.

Optical Scan Tabulation Report at Precincts:

A copy of the Insight tabulation printout will be posted outside of precincts and the end of the Election Day.

Optical Scan Tabulation Reports:

The Department of Elections will use data from the Insight memory units for unofficial and official vote totals.

Precinct Ballots / Accessible Voting (DRE):

Votes recorded on the accessible voting Edge (touchscreen/DRE) system will be captured on the paper printout for the unit (VVPAT). The VVPAT as well as the memory unit for the Edge system from each precinct will be secured and delivered to the Department of Elections.

DRE Tabulation Report at Precincts:

No printed or transcribed total for votes on the Edge system will be posted outside of precincts at the end of Election Day.

DRE Tabulation Reports:

The Secretary of State has mandated that final, official vote totals from the Edge units must originate from paper optical scan ballots which are remade from data captured on the VVPAT. 100% of votes recorded on precinct and early voting Edge units will be remade onto paper optical scan ballots by the Department of Elections.

Ballot Remakes Required:

All damaged ballots which cannot be inserted or read by optical scan units at the Department of Elections will be remade. 100% of votes recorded by Edge units will be remade onto optical scan ballots.

All provisional ballots cast by voters who are out of their assigned precinct and issued a ballot style other than the exact same issued by their assigned precinct, will be remade, including only contest the voter is entitled to vote on as determined by their voter registration.

Director Arntz reviewed the above list and agreed that the information was correct with the following exception: Not all vote-by-mail voters receive a paper optical scan ballot because the overseas ballots are transferred once they are received at the Department of Elections.

Public Comment. *Brent Turner* said that the Director was working under unusual circumstances with the equipment the City has bought, and which Mr. Turner had urged not be purchased. He said that the SoS's report had two pages that reference source codes and he considers the report "scathing" and confirms that the system is not appropriate and has inherent insecurities. *Roger Donaldson* said he would like to see more investigation regarding the installation of software to ensure that there has been no tampering, and he reminded the Commission that there is no observable screen on the equipment and asked how that will be handled.

5. **COMMISSIONER REPORTS.** President Gleason reported that there will be observers from Mexico in San Francisco for the November election. There will be a get together the Sunday morning before election day and Commissioners will receive an email notice from President Gleason with more information. President Gleason reminded the Commission that he and Commissioner Matthews accepted an invitation to observe the election in Baja Norte last year.

President Gleason complimented the Pollworker Division on the clerk training he observed. He said it was very good and very thorough.

6. **NEW BUSINESS**

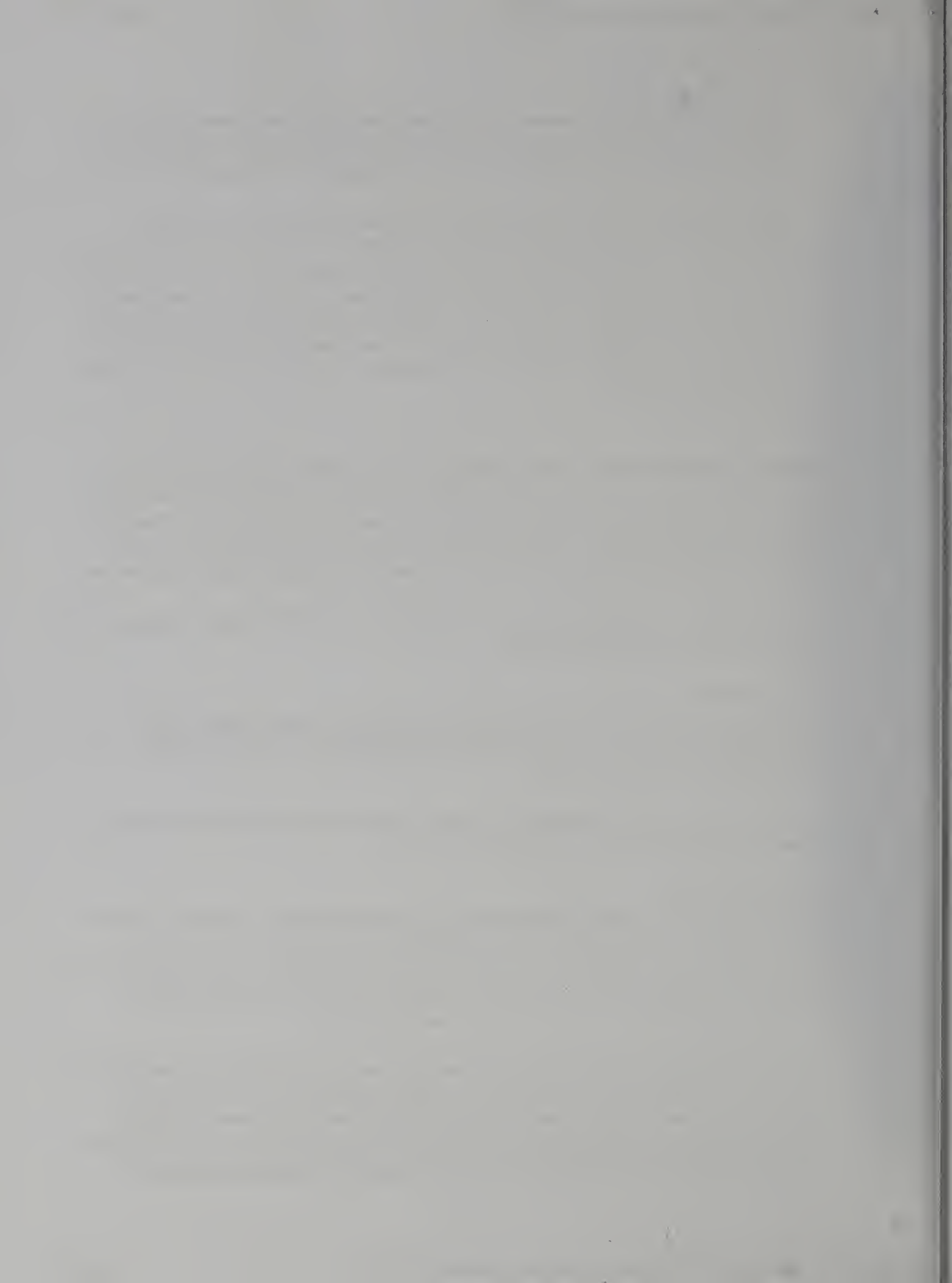
- a. **Discussion and possible action to approve the Minutes of the October 1, 2008 Commission Meeting.** Commissioner Matthews MOVED and Commissioner Phair SECONDED approval of the minutes.

The Roll Call Vote was UNANIMOUS to approve the minutes with the minor corrections offered by Commissioner Phair and Ms. Chandra Friesse.

7. **OLD BUSINESS**

- a. **Discussion and possible action regarding preparations for the November 4, 2008 General Election.** Commissioner Matthews MOVED that the Director provide to each Commissioner, prior to election day: A precinct map of San Francisco, list of polling places and addresses, an observer guide, and observer schedule of events. Commissioner Safont SECONDED the MOTION. The Roll Call Vote was UNANIMOUS.

Commissioner Matthews MOVED that the Department provide to the Elections Commission, as soon after the election as they are available: The IRIS (complaint) Log, the DRE (Direct Recording Equipment) usage results including the XL data set and the report provided by precinct, copies of all correspondence by voters or campaigns regarding their experiences, the Provisional Voting results including total number and reasons for voting provisionally, the



number of votes accepted and rejected and the reasons, vote-by-mail numbers including numbers mailed to voters and returned (including those excepted and rejected with reasons), a memo from the Director of any deviations or modifications from or to the Election Plan – sent by Friday, November 14 so that the Commission may review before its November 19, 2008 meeting – and if no changes, a memo stating that fact. Commissioner Safont SECONDED the MOTION.

The Roll Call Vote was UNANIMOUS to receive these items.

b. Discussion and possible action regarding criteria for Commission post-election evaluation of election plans and conduct of election. [Phair]

Commissioner Phair called the members' attention to the outline of the discussions from the Budget and Oversight of Public Elections Committee (BOPEC) he provided in this meeting's packet. He explained that there may be some confusion about the list and the items discussed under the previous agenda item. Commissioner Matthews explained that in the past there have been requests for the data points mentioned earlier in today's meeting, but there is still the question of how the Commission is to make its evaluation and what constitutes valid observation of the election.

Commissioner Phair said that the data needed for evaluation of an election may change from year to year, and that the information may be discussed at the Committee or/and Commission level. He said that "data points" need to be decided for the focus of this election. Commissioner Phair gave the example of the business-site polling places that the Commission chose to observe during the June 2008 election.

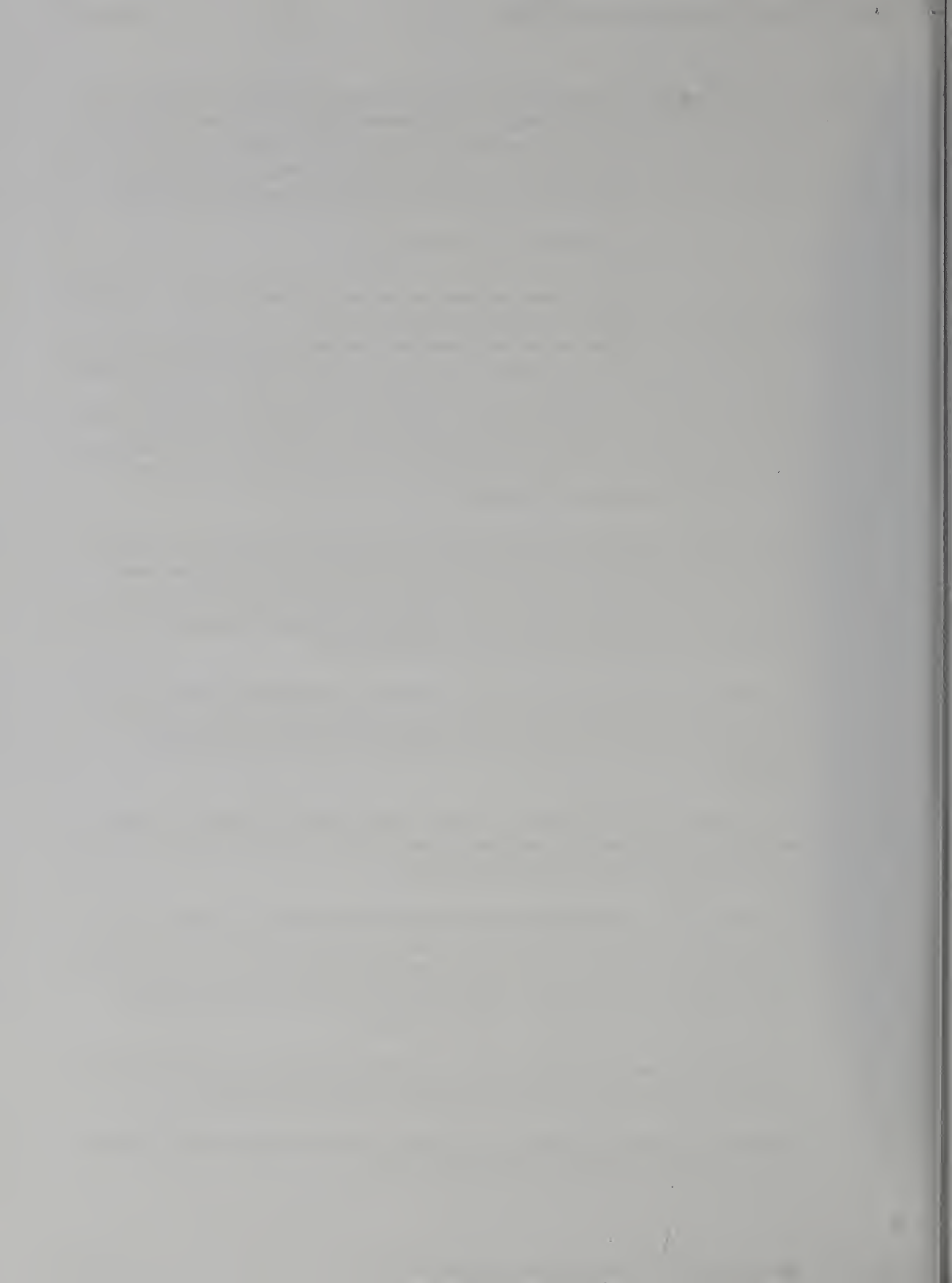
Commissioner Safont said she was excited to observe and participate in her first election and that the first step for the Commission is to get valid information and the next is to develop some metrics and assign some percentages of error for the after-election evaluation.

Commissioner Yu said that there are two ways of viewing how to evaluate the election: quantitative/statistics and the qualitative/experiential factors. She said that a way to mesh the two sides would lead to a good evaluation plan.

Commissioner Yeung acknowledged that this will be his first election as a Commissioner and that he is assuming that the Commission is seeking practical standards rather than legal standards for its evaluation. He said that the measuring of data over time is a good practical way to evaluate and asked if the Commission has, in the past, looked at any academic studies of elections that might help in creating a metrics.

Commissioner Phair said that his approach is that the Commission agree on some specific data points that it will gather, and after the election, look at that information.

Members agreed that the Commission look at the number of re-made ballots, by category and cause, for the November 4, 2008 general election.



Commissioner Rosabella Safont asked what was the percentage of equipment problems for the 560 precincts in the past. Director Arntz responded that the number varies, but that he expects that due to the expected high turnout there may be more issues or at least more "perceived" issues.

Commissioner Phair presented the motion: To facilitate the Commission's evaluation of the November 4, 2008 election, the Commission requests, in addition to the items previously requested at this meeting, that the Director provide information to the Commission in his Post Election Review of the following: Limitations of the Department of Elections' facilities, including precincts, pre-election staging areas (for equipment, ballots or other materials), training facilities, ballot processing facilities and any voting equipment problems, failures or difficulties associated with the equipment used in the election.

Commissioner Matthews SECONDED the motion.

Commissioner Yeung asked if the voter turnout numbers by San Francisco neighborhood could be included in the Commission's post election discussions.

The Roll Call Vote was UNANIMOUS to approve the MOTION.

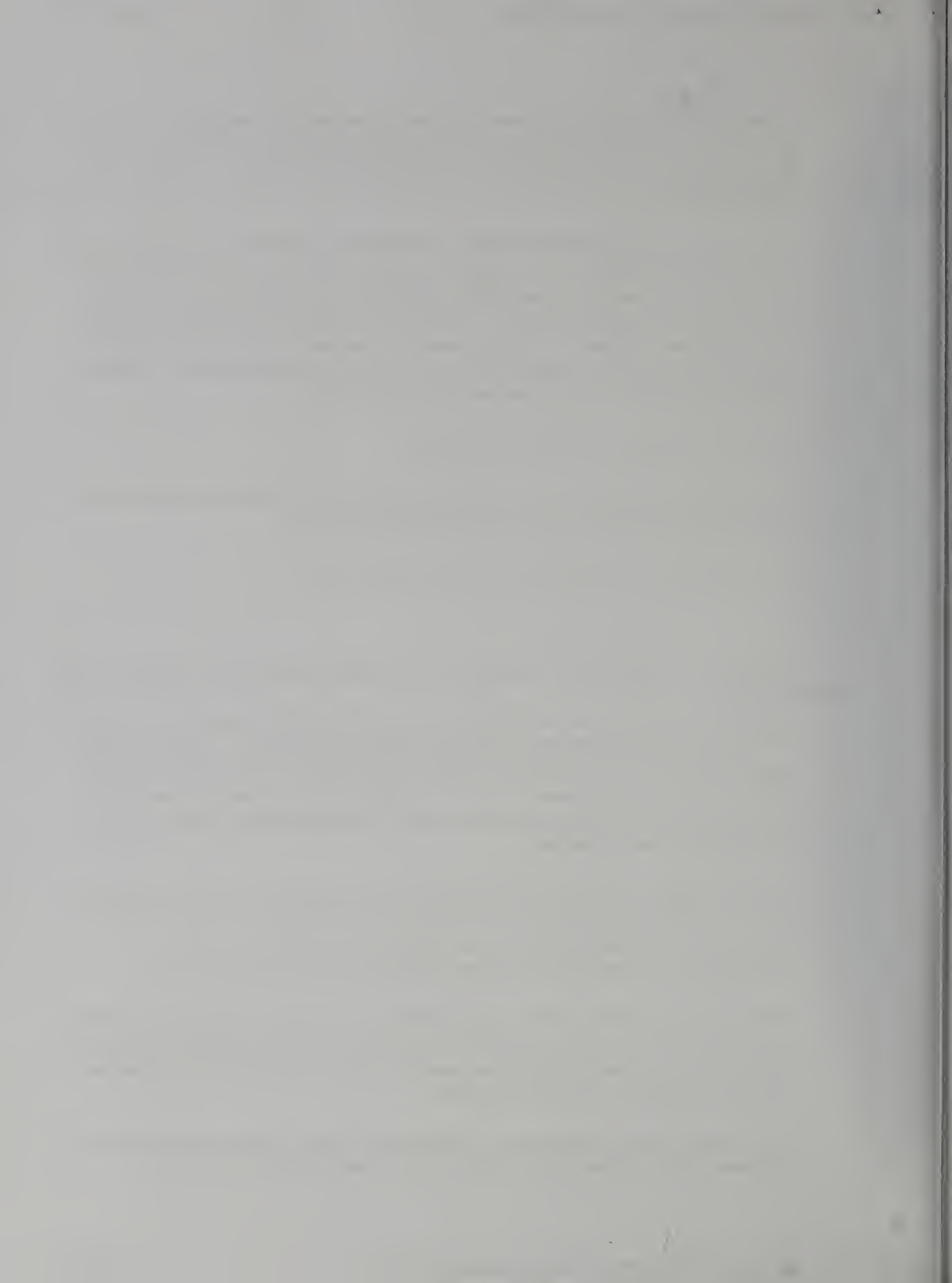
c. Discussion of Commissioner assignments and observations for the November 4, 2008 General Election.

Commissioner Matthews requested that he be able to continue his observations of the DRE (direct recording equipment) voting machines, including preparations for use, election day usage, and all of the data resulting from DRE's after the election. He said he would need access to Pier 48 for a brief period of time. Commissioner Safont stated that she will be taking the Pollworker Training class on November 1st and plans to work as an Inspector for the November 4 General Election.

President Gleason said that he will be working as a pollworker for the election, but he has a concern regarding the transfer of ballots at the precincts throughout the day due to the limitations of the amounts of ballots the equipment can store. He asked if other Commissioners could observe the transfers and report on public response to them.

Director Arntz said that there will be regular transfers by two-thirds of the precincts from the machines to the red ballot boxes at approximately 10 am and 2 pm. If the FED (field election deputy) or Inspector feels that additional transfers need to be made, they will call Election Central and get approval to make the transfer.

Commissioner Phair suggested that the Commissioners have a general authorization to visit and observe the functioning of the election using the precinct maps and addresses.



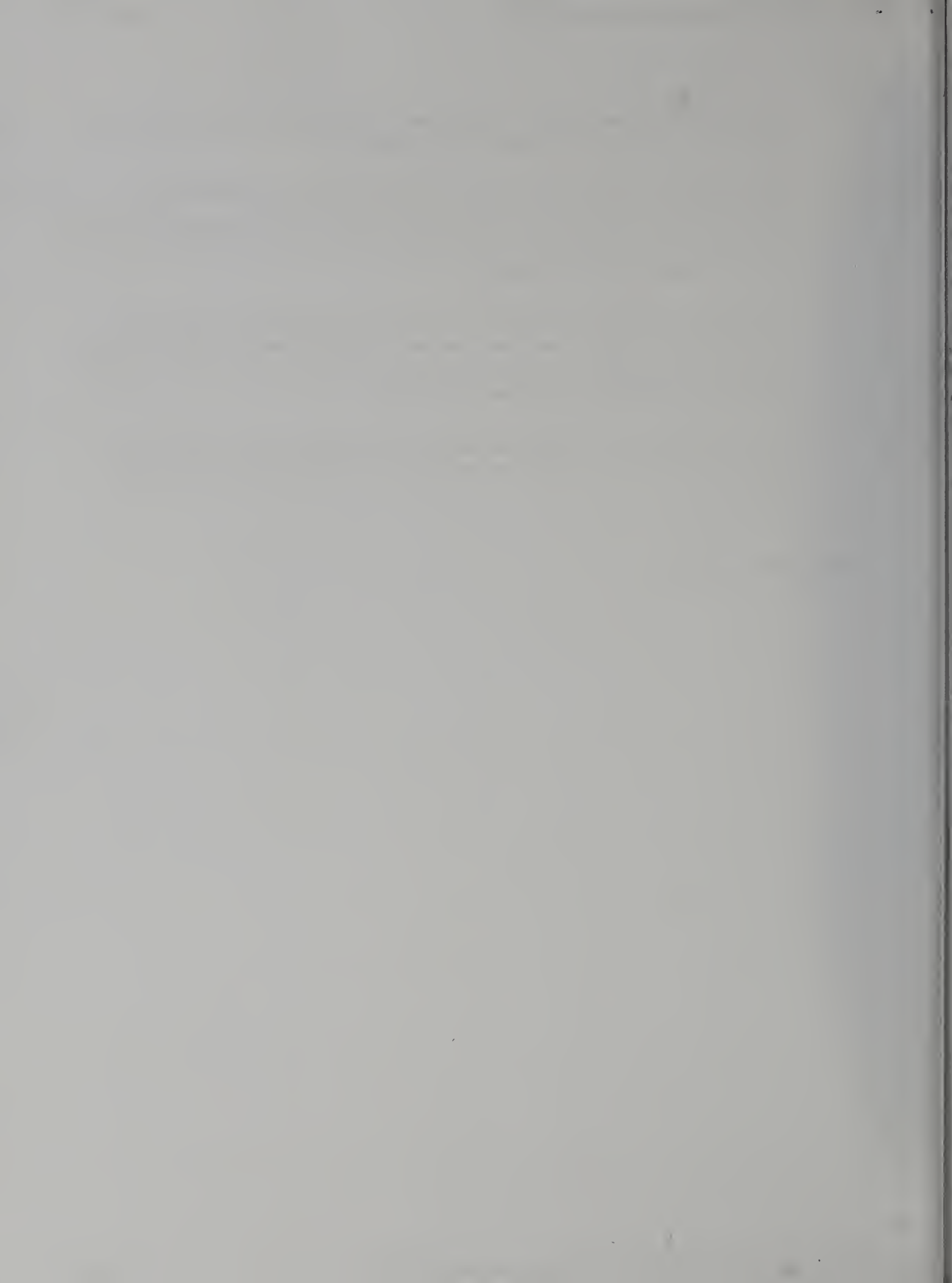
Commissioner Matthews asked that ombudsmen Commissioners include the DRE in their observations of the precincts to assist him in his report.

Commissioner Phair added that the direction should be that all Commissioners are authorized to visit voting precincts for general observations of the voting process and report back to the Commission and to assist Commissioner Matthews, as their time permits, in his conduct of examining the DRE process.

Commissioner Gleason said he would make a report of his observations regarding the provisional ballots and will go over the initial data regarding the vote-by-mail ballots that the Department provides after the election. He added that he may need to ask for assistance from other Commissioners to complete this evaluation.

The action to approve the assignments discussed will be taken up at the next meeting of the Commission as this discussion was not posted as an action item on this meeting's agenda.

ADJOURNED at 8:04 pm.



Elections Commission

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October 20, 2008 - SPECIAL MEETING

SPECIAL MEETING

Elections Commission Meeting

Monday, October 20, 2008

City Hall Room 416

NEW TIME

THIS MEETING TO BEGIN PROMPTLY

AT 8:00 AM

GOVERNMENT
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JAN - 8 2009

Order of Business

1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction.

4. DISCUSSION AND POSSIBLE ACTION TO SUBMIT A REQUEST TO THE BOARD OF SUPERVISORS FOR A WAIVER ALLOWING CERTAIN CITY EMPLOYEES OR OFFICERS TO WORK ON THE NOVEMBER 4, 2008 GENERAL ELECTION.

5. DISCUSSION AND POSSIBLE ACTION TO APPROVE COMMISSIONER ASSIGNMENTS AND OBSERVATIONS FOR THE NOVEMBER 4, 2008 GENERAL ELECTION.

Adjournment

PACKET FOR THIS MEETING

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Massachusetts
Department of
Education
Division of
Elementary and
Secondary Education
Bureau of
Curriculum and
Instruction

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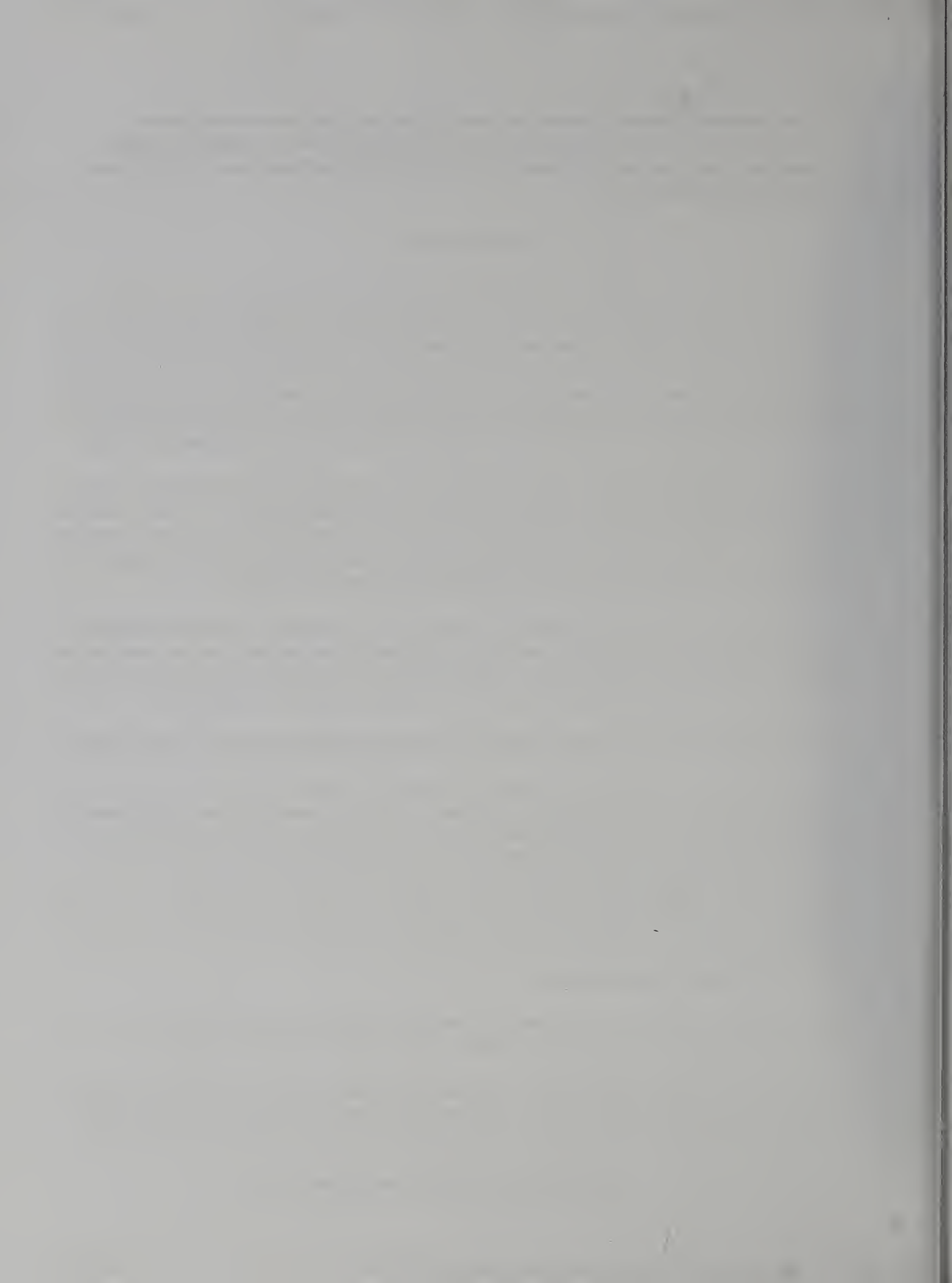
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Memorandum

To: Elections Commission

From: John Arntz, Director

Date: October 16, 2008

Re: Waiver Allowing City Employees to Assist the Department of Elections with the November 4, 2008 Consolidated General Election

This memorandum requests that the Elections Commission approve the Department of Elections' (Department) request for the Board of Supervisors to waive the prohibition under Charter section 13.104.5 that disallows City employees from assisting the Department in the conduct of elections. The Department seeks a general waiver of this prohibition so the Department is able to utilize the services and expertise of City personnel when necessary; however, the Department presently expects to require the assistance of approximately 10 people from other City departments.

The Department will require technical assistance to upload the vote tallies contained in the memory packs that will be transported from each polling place to City Hall, as well as preparing the information for results reporting. The memory packs record the voting that occurs in the polling places on vote tabulation machines. The City personnel will assist in uploading the voting information contained inside the memory packs into the central count system located in the Department's computer room in City Hall Room 48.

While the uploading of the voting information from the memory packs will last a few hours after the polls close, the Charter prohibits City personnel from providing such assistance to the Department. (13.104.5).

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. This section prohibits City personnel from providing to the Department of Elections services that are unique to that department. . . . The Elections Commission may, upon the recommendation of the Director of Elections request from the Board of

4.0



OFFICE OF THE
SECRETARY OF THE
NAVY

Washington, D.C.
April 10, 1918

TO THE SECRETARY OF THE NAVY
FROM THE SECRETARY OF THE ARMY

Subject: [Illegible]

[Several paragraphs of illegible text follow, appearing to be a formal communication or report.]

Very respectfully,
[Illegible Signature]

[Illegible Title]

October 16, 2008

Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The Department does seek to conduct elections exclusively with its permanent and temporary staff, but we find it necessary in some instances to utilize the skills of City personnel who work with other departments. Thus, after considering staffing needs for the November 4, 2008 Consolidated General Election, I recommend that the Elections Commission request from the Board of Supervisors a waiver of the prohibition of City employees performing election-related tasks and allow City personnel to assist the Department of Elections.

The Department requests that this be a general waiver in order to provide flexibility in planning for the election. Still, at this time the Department has identified the need for the assistance of six people from other City Departments. The five personnel are expected to work in the departments listed in the attachment to this memorandum.

I will be glad to answer any questions you might have on this matter.

Encl; waiver request list

4.1



October 16, 2008

Re: Waiver Allowing City Employees to Assist the Department of Elections with the November 4, 2008 Consolidated General Election

TECHNICAL SUPPORT

Number of City Employees: 10

Departments: Department of Technology, General Services Agency, and City Attorney's Office.

4.2



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The MOTION as proposed at the Wednesday, October 15, 2008 meeting reads as follows:

That for the November 4, 2008 General Election: all Commissioners have a general authorization to visit voting precincts for general observations of the voting process and report back to the Commission; and that ombudsperson Commissioners, as their time permits, include the DRE in their observations of the precincts to assist Commissioner Matthews in his report examining the DRE process.

ADDITIONAL ASSIGNMENTS DISCUSSED WERE:

President Gleason - will be working as a pollworker for the election, will make a report of his observations regarding the provisional ballots, and will go over the initial data regarding the vote-by-mail ballots that the Department provides after the election. President Gleason may need assistance from other Commissioners to complete this evaluation.

Commissioner Phair – will observe scheduled transfer of ballots at the precincts throughout the day (at 10 am and 2 pm).

Commissioner Safont - will be a precinct Inspector for the November 4 General Election.

Commissioner Matthews - will continue his observations of the DRE (direct recording equipment) voting machines, including preparations for use, election day usage, and all of the data resulting from DRE's after the election. He said he would need access to Pier 48 for a brief period of time.

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Elections Commission

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October 20, 2008 Special Meeting

City and County of San Francisco

Elections Commission

Approved: November 19, 2008

Minutes of the Special Meeting held

City Hall, Room 416

October 20, 2008

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1. President Gleason called the meeting to order at 8:07 am.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Rosabella Safont, Malcolm Yeung (arrived at 8:08 am), Deputy City Attorney Mollie Lee and Director John Arntz. **EXCUSED:** Joseph B. Phair. **ABSENT:** Commissioner Arnold Townsend.
3. **DISCUSSION AND POSSIBLE ACTION TO SUBMIT A REQUEST TO THE BOARD OF SUPERVISORS FOR A WAIVER ALLOWING CERTAIN CITY EMPLOYEES OR OFFICERS TO WORK ON THE NOVEMBER 4, 2008 GENERAL ELECTION.** Commissioner Matthews MOVED and Commissioner Safont SECONDED this item. The Roll Call Vote was UNANIMOUS to submit the request for waiver to the Board of Supervisors.
4. **DISCUSSION AND POSSIBLE ACTION TO APPROVE COMMISSIONER ASSIGNMENTS AND OBSERVATIONS FOR THE NOVEMBER 4, 2008 GENERAL ELECTION.** Commissioner Matthews MOVED and President Gleason SECONDED this item. The Roll Call Vote was UNANIMOUS to approve the Commissioner Assignment and Observations for the November 4, 2008 General Election.

ADJOURNMENT at 8:10 am

1. The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present and for the development of a sound policy for the future.

2. The second part of the paper discusses the role of the government in the development of the United States. It is argued that the government has played a crucial role in the development of the country, and that its actions have been guided by a set of principles that have been passed down from generation to generation.

3. The third part of the paper discusses the role of the individual in the development of the United States. It is argued that the individual has played a crucial role in the development of the country, and that his actions have been guided by a set of principles that have been passed down from generation to generation.

4. The fourth part of the paper discusses the role of the community in the development of the United States. It is argued that the community has played a crucial role in the development of the country, and that its actions have been guided by a set of principles that have been passed down from generation to generation.

5. The fifth part of the paper discusses the role of the nation in the development of the United States. It is argued that the nation has played a crucial role in the development of the country, and that its actions have been guided by a set of principles that have been passed down from generation to generation.



ELECTIONS COMMISSION
City and County of San Francisco

Gerard Gleason, President
Joseph B. Phair, Vice President
Richard P. Matthews
Rosabella Safont
Arnold Townsend
Malcolm Yeung
Winnie Yu

John Arntz
Director of Elections

Shirley Rodriques
Commission Secretary

SPECIAL MEETING

Elections Commission Meeting
Wednesday, October 29, 2008
At 6:00 pm
City Hall Room 408

10-15-08P03:02 RCVD

Order of Business

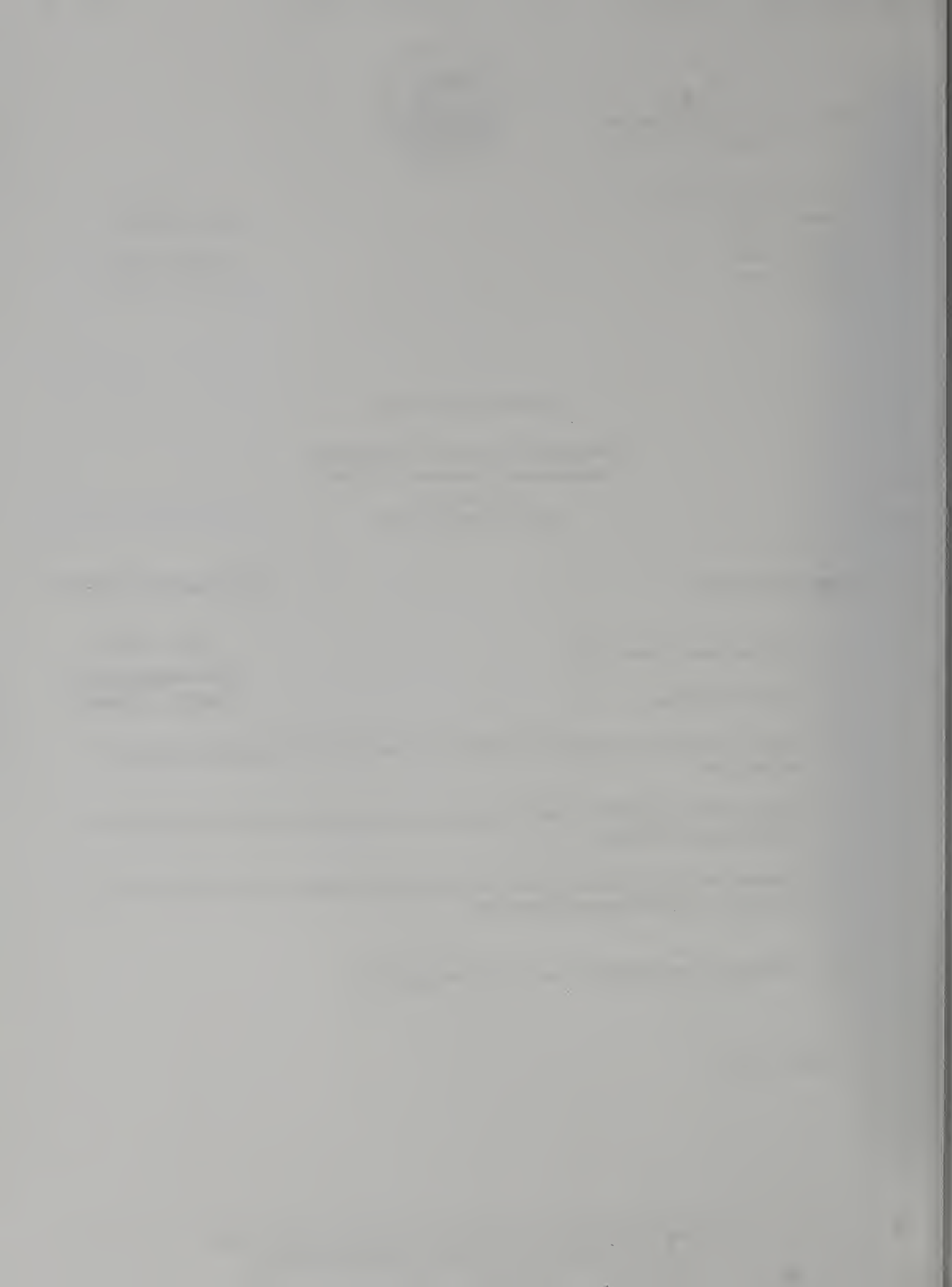
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1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction.
4. DIRECTOR'S REPORT: Update regarding Preparations for the November 4, 2008 General Election.
5. Discussion and possible action regarding preparations and conduct of the November 4, 2008 General Election.
6. Discussion regarding items for future agendas.

Adjournment



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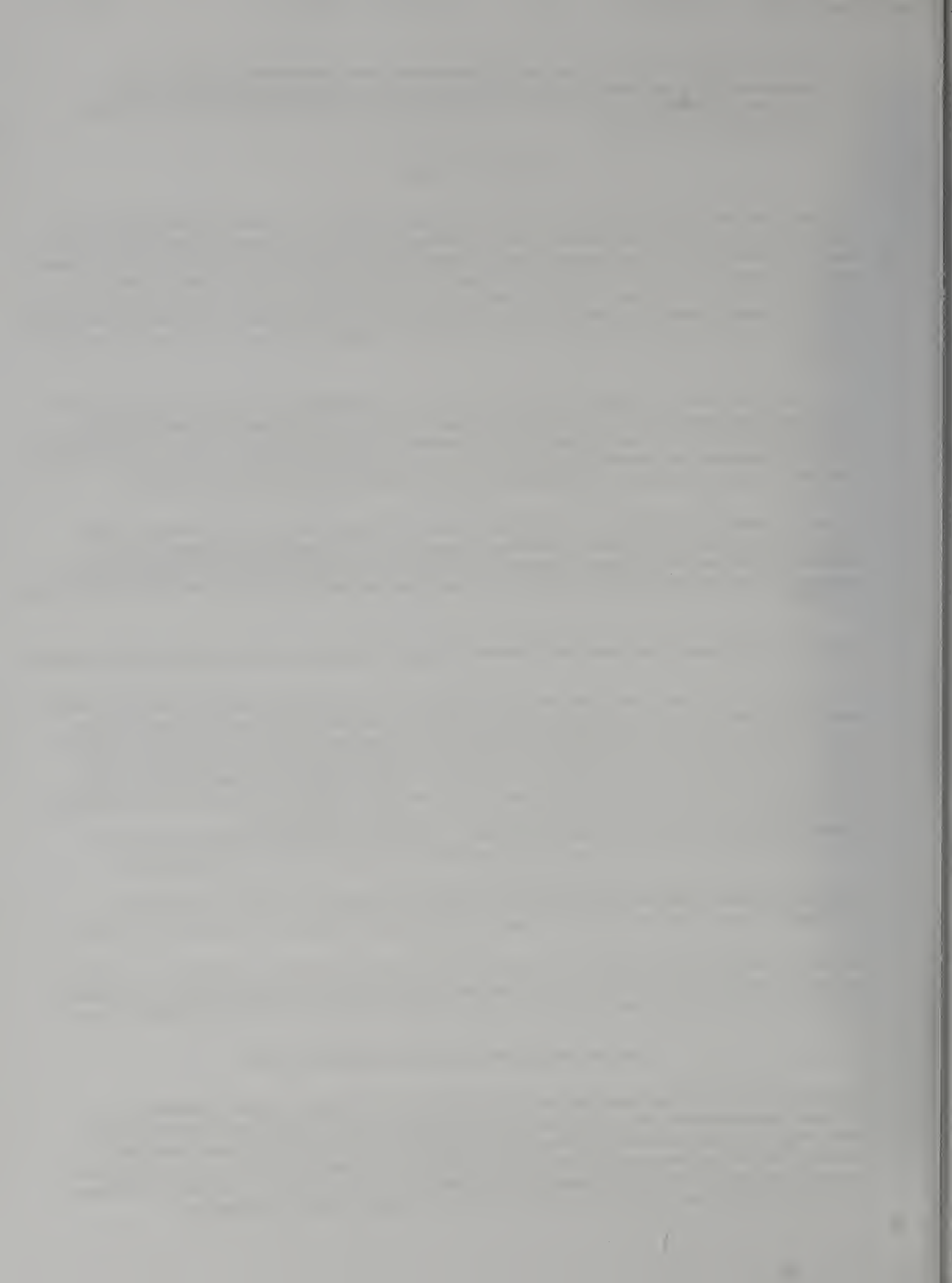
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Elections Commission

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October 29, 2008 Special Meeting - CANCELLED THE BELOW SCHEDULED MEETING HAS BEEN CANCELLED

SPECIAL MEETING

NEW TIME

THIS MEETING TO BEGIN

AT 4:30 PM

Elections Commission Meeting

Wednesday, October 29, 2008

At 4:30 pm

City Hall Room 408

Order of Business

1. Call to Order & Roll Call

2. Announcements

3. Public comment on any issue within the Elections

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Commission's general jurisdiction.

- 4. DIRECTOR'S REPORT: Update regarding Preparations for the November 4, 2008 General Election.**
- 5. Discussion and possible action regarding preparations and conduct of the November 4, 2008 General Election.**
- 6. Discussion regarding items for future agendas.**

Adjournment

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Elections Commission

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November 19, 2008

Elections Commission Meeting
Wednesday, November 19, 2008
At 6:00 pm
City Hall Room 408

Order of Business**GOVERNMENT
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1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction
4. Director's Report of the November 4, 2008 Consolidated Presidential Election

- | |
|--|
| • Overview of conduct of the November 4, 2008 Consolidated Presidential Election |
| • Status of post-election ballot processing |
| • Progress of post-election canvass |
| • Status of future staffing and organizational needs of the Department for the next year |

5. Commissioners' Reports

- Meetings with public officials
- Oversight and Observation activities
- Long-range planning for Commission activities and areas of study

- a. Commissioners will report on their experiences and observations of the November 4, 2008 Consolidated Presidential Election.

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- b. Discussion and possible action regarding further Commission observations, research or investigations needed for evaluation of the November 4, 2008 Consolidated Presidential Election.

6. New Business

- a. Discussion and possible action to approve the Minutes of the October 15, 2008 meeting, and the October 20, 2008 Special Meeting.
- b. Discussion and possible action regarding the Board of Supervisors establishment of a Voting Systems Task Force.

7. Discussion and possible action on written and e-mailed communications from the public to the Commission; Communication from Mr. William J. Smith.

8. Discussion regarding items for future agendas

Adjournment

Complete packet for this meeting

Disability Access

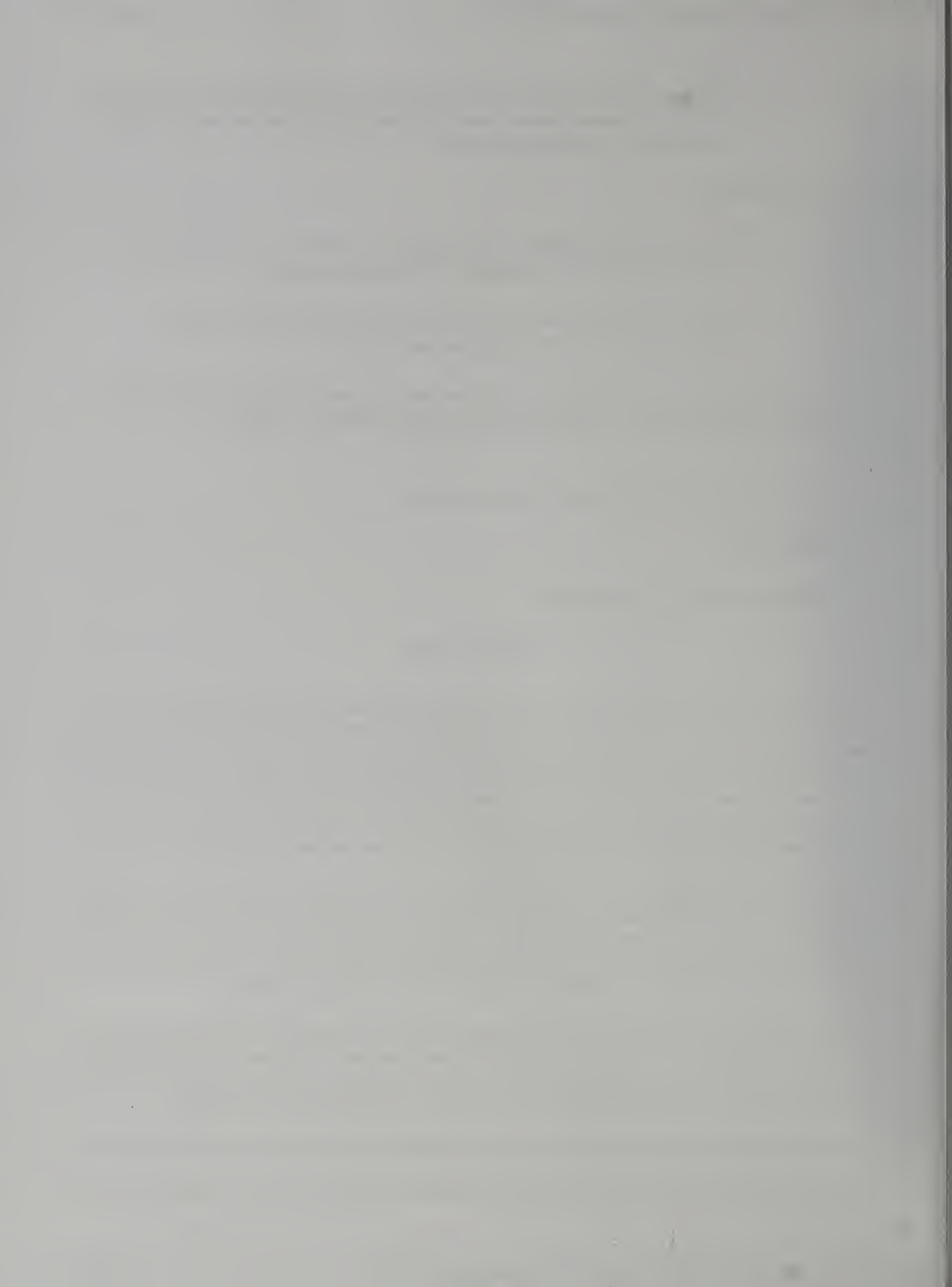
The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6141. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the lot of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative format of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4375 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may also be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards,



councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO CA 94102-4683 AT PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sun Task Force, the San Francisco Public Library and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at a meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activities. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300, fax (415) 581-2317; web site at www.sfgov.org/ethics.





John Arntz
Director

Memorandum

To: Elections Commission

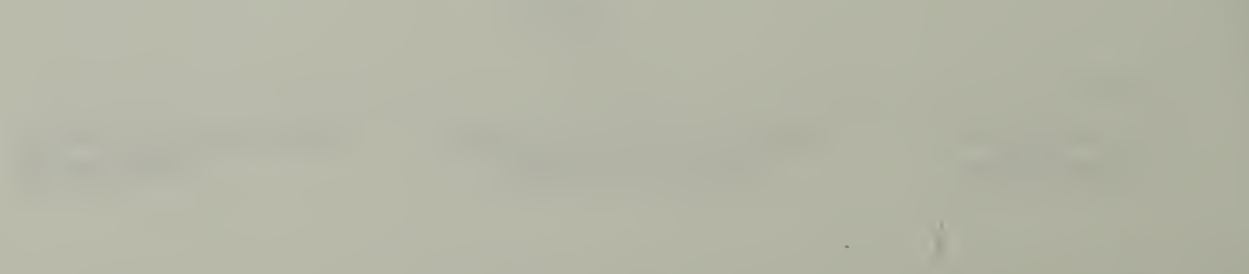
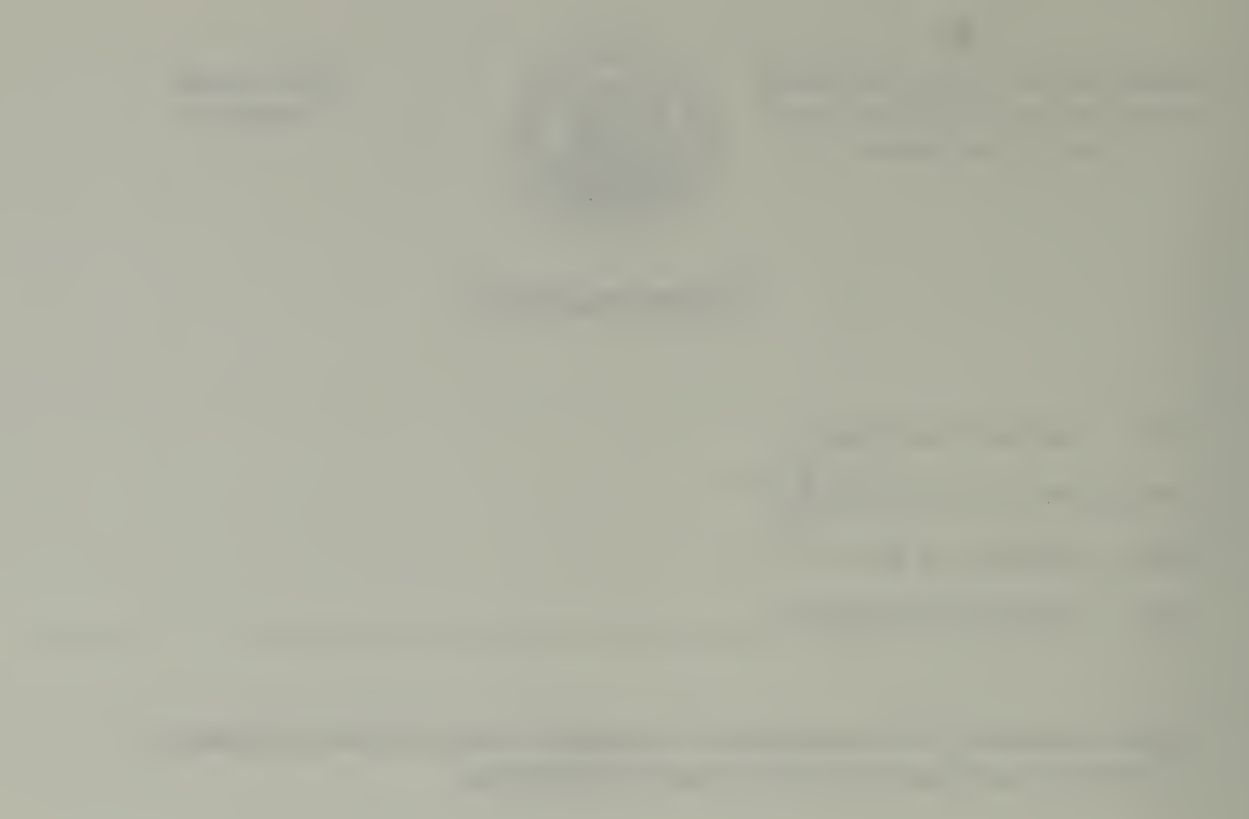
From: John Arntz, Director

Date: November 14, 2008

Re: Following Election Plan

The November 4, 2008 Consolidated General Election was conducted and is being conducted according to the Election Plan for this election.

4.0





NOVEMBER 4, 2008 CONSOLIDATED GENERAL
ELECTION STATISTICS

NOVEMBER 11, 2008

REGISTRATION STATISTICS

Total Registered Voters	477,539
(As of <u>Oct. 30</u>)	
American Independent	7,859
Decline-to-State/Non-Partisan	141,123
Democratic	269,779
Green	9,651
Libertarian	2,336
Peace and Freedom	1,623
Republican	45,168

VOTE-BY-MAIL VOTER STATISTICS

Permanent vote-by-mail ballots issued:	Approx:	167,149
Overseas vote-by-mail ballots issued:	Approx:	7,746
Regular vote-by-mail ballots issued:	Approx:	23,090
Early Voting ballots issued:	Approx:	19,023
Early Voting ballots issued: (E-VOTE -Edge machine)		186
Early Voting ballots issued: (Election day only)	Approx:	1,071
Total Vote-By-Mail Ballots Requested by Party (As of <u>Nov 11th 3PM</u>)	Issued 217,194	Returned
American Independent	3,095	2,437
Decline-to-State/Non-Partisan	60,939	48,826
Democratic	125,279	105,756
Green	3,613	2,915
Libertarian	882	697
Peace and Freedom	546	392
Republican	22,840	19,253
Total Number of Vote-By-Mail Ballots Returned		<u>180,276</u>

4.1

AVR 11/11/08-32



THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

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**San Francisco Elections Commission
Commissioner Joseph B. Phair**

Report on November 4, 2008 Election Precinct Polling Places Review

Further to the Elections Commission's (the Commission) authorization at its October 20, 2008 meeting, I visited and reviewed voting operations at eighteen (18) polling places from 6:30 AM to 6:00 PM during the November 4, 2008 election. Polling places visited were in Precinct 7 (west end) and Precinct 10 (east end). Following is a summary of findings and observations at these polling places.

In summary, no irregularities were observed. All polling places reported opening on time, adequate numbers of ballots (while some polling places came close to running out of ballots before noon, replacement ballots were delivered by the Department's FED personnel in time at those locations), adequate numbers of poll workers, competent Inspectors, generally adequate facilities, no major equipment problems (see specifics below) and no difficulties or voter issues regarding emptying the Sequoia optical scan equipment (OSE) during the voting period. Polling places located in open areas, such as garages in the City's western end, were cold and windy, but not excessively problematic.

Observations and recommendations, including those reported by the poll workers/Inspectors, are summarized below.

Precinct 7 Polling Places (numbers identify the specific polling place):

2734 Garage, 32 San Jacinto Way 6:30 to 8:15

Opened: On time. Observed opening and "zero out" of OCR. Polling place adequately arranged at opening.

Lines at Open: 13

Number Voting Booths: 6

Staffing: 2 adults, 3 students (one adult Chinese fluent)

Equipment: Some Difficulty starting the touch screen but it was working by 8:00 am.

OSE Count: 130 as of visit (no line at that time)

Touch Screen Vote: One voter was not able to use the equipment in morning due to a delay but this didn't prevent the person from voting.

Provisional Ballots: A few vote by mail ballots were dropped off in the morning

Ballot Availability: Adequate in morning

Supplies: Adequate

Conditions: Cold and windy

Observations, Comments and Recommendations: Poll workers were not well versed on touch screen operation. Did not observe touch screen use.

THEORY OF THE EARTH

CHAPTER I. OF THE ORIGIN OF THE EARTH

THE EARTH, as we see it, is a globe, or sphere, of a very great size. It is composed of a solid mass of matter, which is divided into several parts, or regions, called continents, islands, and seas. The continents are the large tracts of land, which are separated from each other by seas or oceans. The islands are small tracts of land, which are surrounded by water. The seas or oceans are the vast expanses of water, which cover the greater part of the earth's surface.

The earth is not a perfect sphere, but is flattened at the poles, and bulges at the equator. This is because of the centrifugal force, which acts on the earth's rotation. The earth's rotation is from west to east, and it takes about 24 hours to complete one revolution. The earth's surface is not smooth, but is covered with mountains, hills, valleys, and rivers. These are the result of the earth's internal forces, which are constantly at work, changing the shape of the earth's surface.

CHAPTER II. OF THE EARTH'S INTERIOR

THE EARTH'S INTERIOR is a subject, which has long attracted the curiosity of mankind. We know very little of what lies beneath the surface of the earth. We know that there is a solid mass of matter, which is divided into several layers. The outermost layer is the crust, which is the thin layer of land and water, which we see on the surface. Below the crust is the mantle, which is a layer of molten material. Below the mantle is the core, which is the innermost layer, and is composed of a solid mass of iron and nickel.

The earth's interior is a very hot place. The temperature increases as we go deeper into the earth. The heat is caused by the friction of the earth's rotation, and by the decay of radioactive materials. The heat causes the molten material in the mantle to rise, and then sink, creating a convection current. This current is what causes the earth's magnetic field, and is also responsible for the movement of the continents and islands.

2733 School, 105 Aptos Ave 10:15

Opened: On time

Lines at Open: 32 reported. No line as of visit

Number Voting Booths: 6

Staffing: 3 adults, 3 students

Equipment: Inspector stated that he didn't like the touch screen. No problems reported.

OSE Count: 702 as of visit

Touch Screen Vote: 0 reported as of visit

Provisional Ballots: None reported as of visit

Ballot Availability: Adequate as of visit

Supplies: Adequate as of visit

Conditions: Excellent

Observations, Comments and Recommendations: Inspector reported that the voter information guides were a nuisance and they didn't have any State guides (but some were delivered by the FED later in the day).

2749 Garage, 95 Keystone Way 10:33 am

Opened: On time

Lines at Open: 15, voting reported to have continued "non stop" for 2 hours"

Number Voting Booths: 5

Staffing: 2 adults, 3 students

Equipment: No problems reported

OSE Count: 449 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Running out at 9:30, but more delivered by 10:30 am

Supplies: Adequate as of visit, running out of pens

Conditions: Very small garage, crowded

Observations, Comments and Recommendations: Inspector was very concerned re ballot availability but the shortage was addressed before the polling place ran out. Not sure how this worked out during the rest of the day.

1111 Ingleside Library, 1649 Ocean 10:35 am

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 6

Staffing: 4 (one no show)

Equipment: The OSE broke down. FED fixed it. The Inspector held the voted ballots in the blue box until the unit was working, then the Inspector fed all previously voted ballots into the OSE equipment. Equipment problem did not delay or prevent any voting.

OSE Count: 319 as of visit

Touch Screen Vote: 1 as of visit

5.1

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting department in ensuring the integrity of the financial data. It highlights the need for a robust internal control system to prevent fraud and errors.

2. The second part of the document outlines the various methods used to collect and analyze financial data, including the use of statistical techniques and the importance of data quality. It also discusses the challenges associated with data collection and analysis, such as the need for a large sample size and the potential for bias.

3. The third part of the document focuses on the importance of transparency and accountability in financial reporting. It emphasizes the need for clear and concise communication of financial information to stakeholders and the role of the accounting department in ensuring the accuracy and reliability of the data.

4. The fourth part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting department in ensuring the integrity of the financial data. It highlights the need for a robust internal control system to prevent fraud and errors.

5. The fifth part of the document outlines the various methods used to collect and analyze financial data, including the use of statistical techniques and the importance of data quality. It also discusses the challenges associated with data collection and analysis, such as the need for a large sample size and the potential for bias.

6. The sixth part of the document focuses on the importance of transparency and accountability in financial reporting. It emphasizes the need for clear and concise communication of financial information to stakeholders and the role of the accounting department in ensuring the accuracy and reliability of the data.

7. The seventh part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting department in ensuring the integrity of the financial data. It highlights the need for a robust internal control system to prevent fraud and errors.

8. The eighth part of the document outlines the various methods used to collect and analyze financial data, including the use of statistical techniques and the importance of data quality. It also discusses the challenges associated with data collection and analysis, such as the need for a large sample size and the potential for bias.

9. The ninth part of the document focuses on the importance of transparency and accountability in financial reporting. It emphasizes the need for clear and concise communication of financial information to stakeholders and the role of the accounting department in ensuring the accuracy and reliability of the data.

10. The tenth part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting department in ensuring the integrity of the financial data. It highlights the need for a robust internal control system to prevent fraud and errors.

Provisional Ballots: Not reported
Ballot Availability: No problems as of svisit
Supplies: Adequate as of visit
Conditions: Excellent
Observations, Comments and Recommendations: No difficulties as of visit

2751 Firehouse, 1000 Ocean Avenue 11:05

Opened: On time

Lines at Open: 39

Number Voting Booths: 5

Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 508 as of visit

Touch Screen Vote: 4 as of visit

Provisional Ballots: Number not reported, but the provisional voter lists were reported as being late arriving at the polling place

Ballot Availability: No problems reported as of visit

Supplies: Adequate as of visit

Conditions: Acceptable interior, but a bit crowded and difficult outside due to very busy intersection

Observations, Comments and Recommendations: Some voters complained that this is not a good polling place location. It is located at a very busy intersection (on Ocean by City College, major Muni stop and heavy traffic). There is very limited parking (unless voters park in nearby merchant lot or Muni turn-around) and no pedestrian cross walk. DoE should consider not using this facility in the future.

2753 School 250 Forester Street, 11:25 am

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 5

Staffing: 5 (2 adults/3 students)

Equipment: No problems reported as of visit

OSE Count: 463 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Came close to running out as of visit but additional ballots were delivered at 11:25 am

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations: Good location with adequate parking.

2752 Garage, 526 Flood Ave, 11:37

Opened: On time

Lines at Open: Big line (number not reported)

5.2

Number Voting Booths: 6

Staffing: 6

Equipment: Inspector reported having difficulty connecting the touch screen equipment to the electric source (plug problem). Two OSE jams, cleared by workers.

OSE Count: 776 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Ran low early but got a redelivery.

Supplies: Low on pens as of visit

Conditions: Marginal. Very small and crowded garage. Limited parking

Observations, Comments and Recommendations: Try to locate larger facility.

Staff at this location did an excellent job managing the small space. Had one problem with an elderly voter who was not listed and refused to vote provisionally, but the Inspector was able to resolve the situation.

Precinct 10 Polling Places (numbers identify the specific polling place):

3002 Playground facility, Arkansas and Mariposa Streets, 2:00 pm

Opened: Opened 5 minutes late (Park & Rec. employee late with key)

Lines at Open: 20

Number Voting Booths: 8 (not enough for this polling place)

Staffing: 4 adults and 2 students

Equipment: Touch Screen had 34 votes on it when the poll opened and the Inspector did the "zero out" test. The problem was fixed and the touch screen was operational. No other equipment problems reported as of visit.

OSE Count: 1224 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Inspector reported a lot of provisional ballots as of visit.

Ballot Availability: No problems as of visit

Supplies: Not enough "I voted" stickers or voter information books

Conditions: Excellent

Observations, Comments and Recommendations: Very good location with a lot of parking and interior space, but need to impress on Park and Rec. the importance of being on time to allow set up and opening of polling places on time.

3005 St. Teresa Church, Sammon Hall, 390 Mission Street, 2:40 pm

Opened: On time

Lines at Open: 50

Number Voting Booths: 6

Staffing: 5

Equipment: No problems reported as of visit.

OSE Count: 900 as of visit

Touch Screen Vote: 0 as of visit

1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is divided into two main sections: the first section deals with the general situation of the country and the progress of the work during the year, and the second section deals with the specific results of the work.

2. The second part of the report deals with the specific results of the work. It is divided into three main sections: the first section deals with the results of the work in the field of agriculture, the second section deals with the results of the work in the field of industry, and the third section deals with the results of the work in the field of commerce.

3. The third part of the report deals with the financial results of the work. It is divided into two main sections: the first section deals with the income of the work, and the second section deals with the expenditure of the work.

4. The fourth part of the report deals with the general conclusions of the work. It is divided into two main sections: the first section deals with the general conclusions of the work, and the second section deals with the specific conclusions of the work.

5. The fifth part of the report deals with the general conclusions of the work. It is divided into two main sections: the first section deals with the general conclusions of the work, and the second section deals with the specific conclusions of the work.

6. The sixth part of the report deals with the general conclusions of the work. It is divided into two main sections: the first section deals with the general conclusions of the work, and the second section deals with the specific conclusions of the work.

Provisional Ballots: As of visit there were reported to be 12 vote by mail where voter was unable to surrender the mailed ballot

Ballot Availability: Ran out of ballots in the morning and had to hold 3 people while waited or more ballots. No voters were turned away due to insufficient ballots

Supplies: No problems reported as of visit.

Conditions: Excellent

Observations, Comments and Recommendations: None

3006 Garage, 613 Wisconsin Street, 2:51 pm

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 6

Staffing: 3 adults, 1 student

Equipment: OSE jammed a number of times, twice while I was on site.

Problems related to over-votes (2 while I was on site). The Touch Screen equipment wasn't working properly when the polling place opened therefore the unit had to be replaced.

OSE Count: 923 at 3:00 pm

Touch Screen Vote: 0 as of visit

Provisional Ballots: A number of non-SF voters voted in the presidential election. See below re individuals dropped from the voter list.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Adequate, some crowding in a very narrow space (like a hallway).

Observations, Comments and Recommendations: The Inspector reported that he had experienced a number of individuals who had been dropped from the voter list, situations where the husband was still on the list but the wife had been dropped for no evident reason.

3009 Recreation Center, Potrero Hill, 801 Arkansas Street, 3:37 pm

Opened: On time

Lines at Open: No line when opened

Number Voting Booths: 5

Staffing: 2 adults and 3 students

Equipment: No problems reported as of visit

OSE Count: 246 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Adequate as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations: None

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
530 SOUTH EAST ASIAN AVENUE
CHICAGO, ILLINOIS 60607

TO: THE DIRECTOR, NATIONAL BUREAU OF STANDARDS
WASHINGTON, D.C. 20535

FROM: DR. J. H. DILLON, JR.
DEPARTMENT OF CHEMISTRY
UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS 60607

SUBJECT: A STUDY OF THE KINETICS OF THE
REACTION OF HYDROGEN PEROXIDE WITH
HYDROXYLAMINE

ABSTRACT: The reaction of hydrogen peroxide with hydroxylamine was studied in aqueous solution at various temperatures and concentrations. The reaction was found to be first order in both reactants and the rate constant was determined as a function of temperature. The activation energy of the reaction was calculated to be 14.5 kJ/mol.

INTRODUCTION: Hydroxylamine is a weak base and a good reducing agent. It is known to react with hydrogen peroxide to form water and nitrogen gas. The kinetics of this reaction have not been previously reported.

EXPERIMENTAL: The reaction was studied in aqueous solution at various temperatures and concentrations. The reaction was found to be first order in both reactants and the rate constant was determined as a function of temperature.

RESULTS AND DISCUSSION: The reaction was found to be first order in both reactants and the rate constant was determined as a function of temperature. The activation energy of the reaction was calculated to be 14.5 kJ/mol.

CONCLUSION: The reaction of hydrogen peroxide with hydroxylamine is a first order reaction. The rate constant is a function of temperature and the activation energy of the reaction is 14.5 kJ/mol.

3008 School, 1251 Carolina Street, 3:37 pm

Opened: On time

Lines at Open: 21, very busy until 11:00 am

Number Voting Booths: 6

Staffing: 3 adults and 3 students

Equipment: Minor jamb of the OSE when in reached 900 votes, -- wouldn't feed. No problems after the unit was emptied (once prior to my visit)

OSE Count: 1080 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Reported about 24 provisional ballots as of visit, mostly individuals who were voting out of their registered polling place or vote by mail voters who did not have their mailed ballot to surrender.

Ballot Availability: No problem reported as of visit

Supplies: Adequate as of visit

Conditions: Excellent

Observations, Comments and Recommendations: None

3003 School 2641 25th Street, 3:57 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 6

Staffing: 3 adults and 2 students

Equipment: No problems reported as of visit

OSE Count: 875 as of visit

Touch Screen Vote: 13 as of visit

Provisional Ballots: A lot of provisional ballots, mostly out of precinct voters and late registrations that didn't get a voting registration acknowledgement in the mail.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations:

3001 Firehouse, 299 Vermont Street, 4:20 pm

Opened: On time

Lines at Open: 5

Number Voting Booths: 6

Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 980 as of visit (8 in line to vote at that time)

Touch Screen Vote: 1 as of visit

Provisional Ballots: A lot of provisional ballots. This polling place ran out of provisional ballot envelopes and had to send some voters (I observed two) to another polling place. One was a voter from Monterey voting in San Francisco, and one was a SF resident who did not have his vote by mail ballot to surrender and had to be sent to 3005 polling place.

Ballot Availability: Other than lack of provisional ballot envelopes, no other problem reported as of my visit.

Supplies: Adequate as of visit

Conditions: Acceptable, similar to a residence garage (cold and windy)

Observations, Comments and Recommendations: Not sure the workers were in adequate contact with their FED.

3011 Omega Boys Club, 1060 Tennessee Street, 4:45 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 6

Staffing: 2 adults and 4 students

Equipment: No problems reported as of visit

OSE Count: 1288 as of visit

Touch Screen Vote: 10 as of visit

Provisional Ballots: A lot of provisional ballots, mostly for individuals who were not on the voting list but said they had registered to vote in this precinct.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations: Inspector doing a good job of handling the large number of provisional ballots.

3007 Muni Barn, 700 Pennsylvania Ave, 5:00 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 7

Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 1198 as of visit

Touch Screen Vote: 5 as of visit

Provisional Ballots: Not a large amount, mostly vote by mail voters who did not have their mail in ballot to surrender, or individuals who said they had registered through CA DMV but did not appear on the SF voter lists.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent, but a long walk in from sidewalk.

Observations, Comments and Recommendations: Inspector suggested that the SF Department of Elections phone number be put back on the voter registration form in the section that the registrant keeps, which is where it used to be. Now the phone number is only on the section of the form that is mailed/returned to the Department, thus this Inspector had to hand write the phone number on all forms that she used.

Also, it is the Inspector's opinion, based on her numerous experiences as an inspector that the DMV voter registration does not work and should be modified or improved. This Inspector also stated that there needs to be more and better

training regarding the seals used on the voting equipment and other items to better inform the poll workers of what and how to use these seals.

There was also raised the question of where to measure the 100 feet from the polling place in which electioneering may not take place. Is it from the front door of the voting area, from the voting roster, from the front of the particular facility or some other position? This is important for polling places such as this Muni Barn, schools, churches etc. where the actual polling place is located in an inside room. Should electioneering be allowed inside the facility if it is 100 feet from the particular room being used for voting (i.e. down the hall)? I believe it should be measured 100 feet from the front door of the facility (i.e. along the sidewalk) to avoid voter problems inside, even if the hall is 100 feet from the voting room (i.e. classroom etc.). But this point needs to be cleared up (this Inspector got multiple answers from the DoE) and included in the Poll Worker's Manual as well as the pre-election poll worker training.

3010 The Futon Shop, 2150 Cesar Chavez Street, 6:00

Opened: On time

Lines at Open: 15, 150 voters in first hour

Number Voting Booths: 5

Staffing: 2 adults and 3 students

Equipment: One OSE jamb at 9:30 am caused by a ballot not dropping because the voter receipt had not been removed. Other than that, no problems reported as of visit

OSE Count: 703 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not many (no number reported) as of visit

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent (very good cooperation and support from business owner)

Observations, Comments and Recommendations: None

SUMMARY OF EXPERIENCES FROM ELECTION DAY -- NOVEMBER 4, 2008

[GLEASON]

The following is a summary of Election Day activities at the precinct where I served as a poll worker (Inspector) for the recent General Election. This summary is meant only to provide an overview of my experience and observations that day while serving as a pollworker and related activities to serving as a pollworker. I submit this to you before the Commission meeting on November 19, 2008 in order to conserve time at that meeting.

Election Day: November 4, 2008

Precinct 2112 - 235 12th Avenue - Sutro Elementary School (SF Supervisor District 1)

Training class: Saturday November 1, 2008

Length: 1.5 Hours (Experience Inspector)

Ballot & Precinct supply pickup: after training class, Civic Auditorium
pick-up time process: less than 6 minutes

Pollworker crew other than myself

1 Adult clerk, 3 high school student clerks –

2 of the high school student clerks served as the required bilingual translators. I observed that translation services were needed several times that day. Students represented three participating SFUSD high schools (Galileo, Lowell, Washington). Pollworker arrival time at precinct: all arrived between 5:45AM and 5:55 AM.

Voters listed on Roster (Active & Supplemental): 1023

Voters who signed roster at precinct and voted: 445

Provisional Ballots cast: 13

Vote-by-Mail (VBM) Ballots dropped at Precinct: 73

Surrendered VBM Ballots: 3

VBM Ballots issued before the election as noted on roster: 396

Spoiled ballot cards: 50

Voters in line when Precinct opened at 7:00AM : 38

Examples of cause for Provisional ballot cast:

- 1) Not on roster: Voter stated she registered to vote in Orange County, was told she could cast a provisional ballot
- 2) Not on roster: Voter stated she thought she had registered when she completed a change of address with United States Postal Service
- 3) Not on roster: Voter appeared to have voter registration postcard from SF DOE verifying voter registration on August 18, 2008 at address in Precinct 2112. Her husband had his won copy of same SF DOE voter registration verification postcard, from the same date, and he was on the roster for Precinct 2112

One voter arrived at 7:20 PM with a yellow Vote-by-Mail ballot for Placer County (Auburn).

Voting Equipment

Sequoia Insight (optical scan): Public Counter at close of polls: 1782

Sequoia Edge (touchscreen/DRE): Public Counter at close of polls: 0

Ballot transfer: Sequoia Insight ballots started to jam at 670 on the LED Public Counter (670 cards in machine). This occurred at approximately 10:15 AM. After a call to the Field Election Deputy (FED) and the DOE Command Center, it was determined the FED could not arrive within a reasonable amount of time to transfer the ballots to allow voting to continue for voters waiting. I opened the doors to the ballot storage area, reaching my arm in, rearranged the pile of ballots cards in bin #2 and closed the storage area doors. This allowed ballots to now have room to continue to drop into bin #2. This gave us another 45 minutes of ballot accepting until our FED arrived and we completed the one transfer of ballots that day. The ballot transfer at Precinct 2112 was the first one our area FED had done that day. The ballots started to jam again in the evening, after 7:00PM and we were required to lift the ballot tabulator and reposition the receiving of ballots in storage bin #2 for the least few voters of the day.

The precinct did not have an SF DOE supplied table to use for roster signing and ballot distribution when I arrived at 5:45 AM. I believe SF DOE intended for us to use one of the many school cafeteria tables in the room. As those tables have built in benches, my one adult clerk could not sit at them (access issues and backless) and voters cannot completely approach the table to sign the roster. I called the SF DOE command center. A DOE table was delivered to the precinct at 6:05AM (within 15 minutes of the call).

Our precinct never received the Yellow (Voter Identification Required) Roster that was supposed to be delivered to our precinct. I overlooked inquiring about it to our FED.

Shortage of ballot pens (some disappeared with voters) was problematic during the first hour of voting. Our FED delivered a few additional ballot pens and the school office where the precinct was located provided us with several #2 pencils for voters to use to mark their ballots. The school office also provided band-aid for the numerous paper cuts from ballot handling.

Last voter of the day placed ballots in the Insight at 8:25PM

Voting machine memory packs and tally tape were picked up by Parking Control at 8:40PM (Parking Control had been there earlier, by re-routed due to voters still marking ballots).

Student clerks completed tasks and were dismissed at 9:15PM

Sheriff arrived to pick up ballots and other materials at 10:05PM

At the opening of our precinct we had 18 visiting election observers from Mexico, from various government agencies and NGOs. This group observed the setup of our precinct and the first 45 minutes of voting before leaving to visit other precincts in San Francisco and voting in other counties. An attached news article from the *Santa Cruz Sentential* of November 5 describes more on this group's visit. SF DOE arranged a visit and tour of the office for this same group on Sunday November 2, led by SF DOE spokesperson Giannana Miranda.

Special mention: Before the election, I signed up with a nonprofit group called Pollworkers for Democracy, which was organized by the Credo cellular phone service (a division of San Francisco-based Working Assets). I signed up with the group out of curiosity as to what they were doing. The organization claims to have recruited over 12,000 people to work the polls on November 4. During the preceding month before the election, Pollworkers for Democracy had arranged a series of telephone conference calls involving pollworker information and issues; one call hosted California Secretary of State Debra Bowen. One great surprise benefit of signing up with the group was that on Election Day, Robert McKennie who is the Pollworkers for Democracy coordinator for SF County, delivered hot coffee and food (bagels & cream cheese) to the crew at my precinct. Our entire staff of pollworkers at Precinct 2112 was extremely grateful for this kind and unexpected treat.

(Note: the LED counter at the end of the day is not divisible by the 4 ballot cards for 445 voters having signed the roster. There may be 2 extra cards from spoiled ballots that were inserted in error. This may have occurred at about 3:15PM.

All Numbers provided are from information collected from pollworkers at the end of the day at the precinct and have not been verified)

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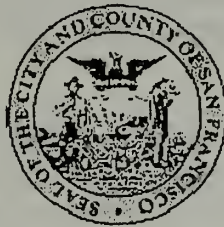
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November 4, 2008

Board of Supervisors City and County of San Francisco

*Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689*



AGENDA

**Tuesday, November 4, 2008
2:00 PM**

Regular Meeting

**GOVERNMENT
DOCUMENTS DEPT**

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35. 081227 [Voting Systems Task Force]

**Supervisor
Ammiano**

Ordinance amending the Administrative Code by adding Sections 5.400-410 to establish a Voting Systems Task Force comprised of individuals with backgrounds in good government, computer science or the computer industry, election administration, and accommodations of persons with disabilities, to make recommendations to the Board of Supervisors about voting system standards, design and development.

**Question: Shall this Ordinance be PASSED ON FIRST
READING?**

6.b.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY

RECEIVED
JAN 10 1964



DEPARTMENT OF CHEMISTRY
5408 S. DICKINSON ST.

CHICAGO, ILL. 60637

JOHN F. HANCOCK
JAN 10 1964

Dear Sir:

I am pleased to inform you that your application for a position as a research assistant in the Department of Chemistry has been accepted. You will be joining the laboratory of Professor [Name] and will be working on the project of [Project Description].

Your appointment will be for a period of one year, starting on [Start Date]. Your salary will be \$[Salary] per year. You will be expected to work full-time hours, from 9:00 a.m. to 5:00 p.m., Monday through Friday.

Please contact the Department of Chemistry at the University of Chicago to arrange for your admission and to discuss the details of your appointment.

Sincerely,
[Signature]

Very truly yours,
[Signature]



William Smith

11/09/2008 07:02 PM

Please respond to

To elections.commission@sfgov.org

cc

bcc

Subject Election Law Changes: Prohibit ANY Use of Electronics While Voting

Sirs:

I phoned your office on Nov. 4 to describe an extremely irritating situation at precinct 2742 in which a man in an adjacent voting booth took a phone call, conducted a 5+ min. phone conversation, began laughing very loudly, and was finally asked by a poll worker (at my request) to finish his business and leave.

Henceforth, there must be a policy adopted (as is the case in other states) which PROHIBITS use of ANY electronic communication devices (cellular telephone, pagers, text messaging equipment, BlackBerry, iPod, iPhone, etc.) during the process of voting. Use of this equipment could be viewed by some as ELECTIONEERING - much in the same way as wearing political statement garb that endorses a candidate.

The gentleman next to me was loud, obtrusive, annoying, and highly disturbing to me as I voted. I want to see that ALL electronic equipment be silenced and turned off completely. Accepting calls, pages, and text messages must be prohibited upon initiating the voting process until such time as it is finalized and the person exits the voting area.

I urge this policy to become STATE LAW as soon as possible. This ruling should be printed in every voter information packet and posted prominently in each precinct. Failure to abide by these laws should result in fines, jail time, and expulsion from the voting area.

It is my understanding (unverified) that this is LAW in Tennessee.

William J. Smith

San Francisco, CA

7.0

Elections Commission

LISTEN
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November 19, 2008

City and County of San Francisco

Elections Commission

Approved: December 17, 2008

Minutes of the Meeting held

City Hall, Room 408

November 19, 2008

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1. President Gleason called the meeting to order at 6:04 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu, Rosabella Safont, Malcolm Yeung, Joseph B. Phair, Deputy City Attorney Mollie Lee and Director John Arntz. **ABSENT:** Commissioner Arnold Townsend.
3. **Public comment on any issue within the Elections Commission's general jurisdiction.** *Richard Hanlin* said he was concerned that Rank Choice Voting (RCV) does not meet the one man, one vote test. *Blair Bobier* said that she wants the RCV tabulations released as soon as possible on election night because the town of Pierce County, Oregon has RCV and was able to have their election results posted on election night. *Otto Duffy* said that he agreed with Mr. Hanlin regarding RCV, and added that he worked in precinct 3614 and that there were inexperienced pollworkers and inspectors at that site. Mr. Duffy suggested that if students at City College were encouraged to take a day off from instruction to work at the polling sites, the City could have a large pool of capable workers.
4. **Director's Report.** Director Arntz reported that the November 4, 2008 election was the largest in the history of the City. There was a 50,000 voter registration increase from early September to mid-October. Of citizens casting ballots, 47 % voted by mail. Twenty Thousand people chose to vote at City Hall (in 2004, there were 13,000 – which, then, was a record high). The Director said that over 80% of voters voted, and that the last time this happened was in 1968.

There were over one thousand election observers, almost two per polling place. Nearly 300 people from overseas visited the election facilities at City Hall and at the Pier. Certification of the Election is expected December 2, 2008. The Director reminded the Commission that his permanent staff is only 22 people, for the election 400 people were hired. This number is now down to 200. He said it is staggering to observe the scope of work the

permanent staff oversaw for the November 4, 2008 election.

Director Arntz said that in the 15 elections since he has been Director, he has never seen the Elections Department run better than it did for this election.

He said, "I don't think that any election in California was run better by a group of people than the one in San Francisco. Honestly, it's amazing and I want to commend every body. One of the things this group was really good at doing was to respond to situations...before and during election day and even afterwards."

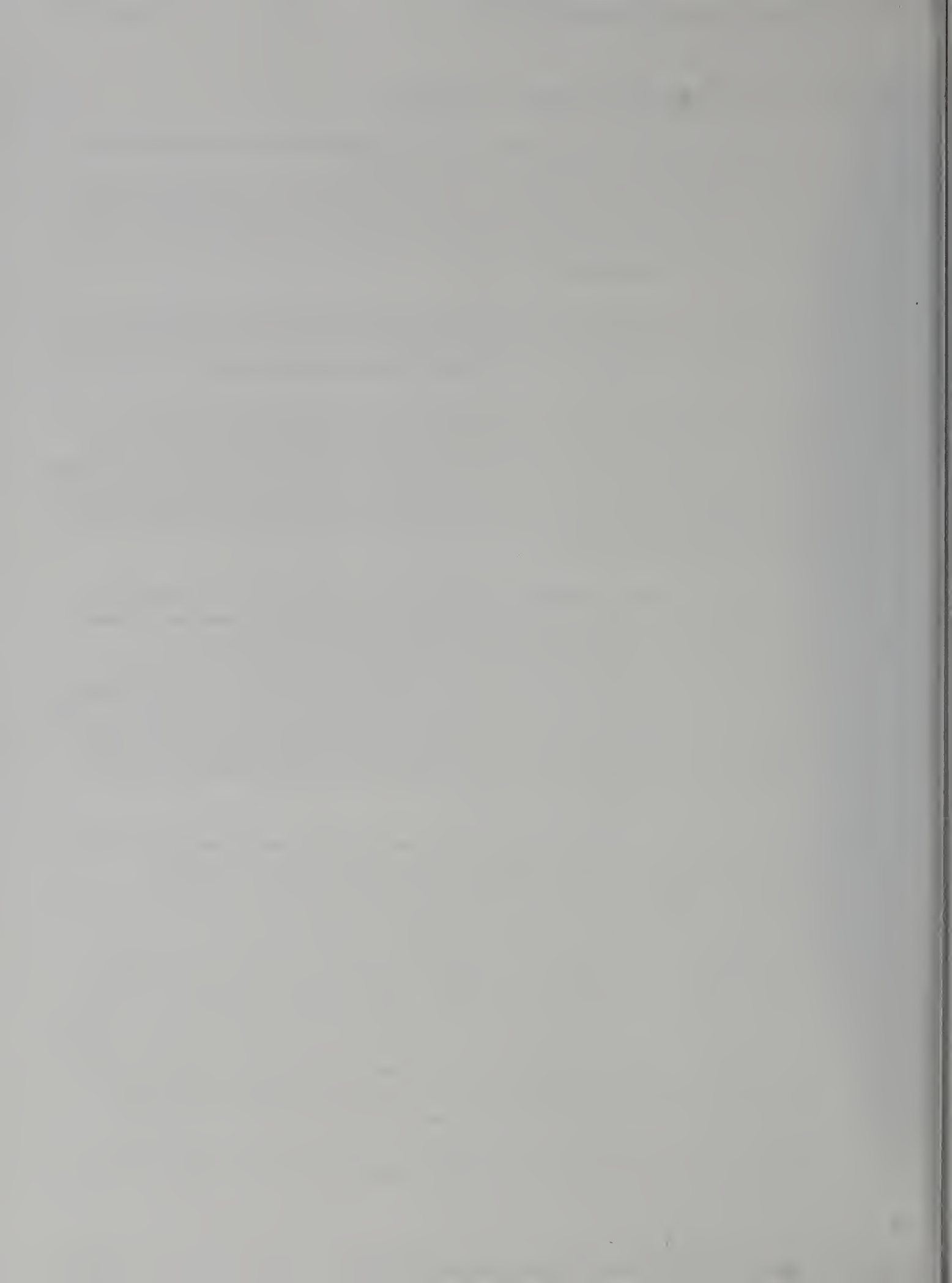
The Director complimented the voters as well. He said that even with the lines outside of City Hall, some people waited a couple of hours, sometimes in the rain, the voters were patient and the long lines were managed by the competent Elections Department staff.

Commissioner Matthews congratulated the Director and the Department on the well run election. He asked the Director what his policy is regarding releasing the RCV ballot count. Director Arntz responded that he released the preliminary RCV tally numbers on Friday getting as much information as possible into that report because releasing numbers too early can lead to misinformation by the media. Waiting until Friday allows for more absentee ballot numbers and vote by mail ballot numbers.

Commissioner Matthews asked who was doing the manual review of the ballot cards what were rejected by the voting equipment. Director Arntz replied that they were being reviewed by the re-make staff - DoE people, not Sequoia Voting Systems employees. The Commissioner asked if the comment on one of the Elections Department Voter Comment Forms that questioned whether a supervisorial candidate actually lived in the district for which he was running would receive a reply. Director Arntz said that the complainant visited the DoE and did receive a reply. Commissioner Matthews asked the Director what happens to the complaints from voters alleging voter fraud. Director Arntz responded that those complaints are forwarded to the District Attorney's Office.

Commissioner Phair congratulated Director Arntz on the election and reported that he visited almost twenty precincts for approximately ten to fifteen minutes each, and was very impressed. He asked the Director how quickly vote-by-mail ballots could be counted because this question comes up often, and added that Oregon is voting only by mail. The Commissioner asked Director Arntz if he has looked into Oregon's process in counting their ballots. Director Arntz reminded the Commission that usually locations like Oregon have a one-card ballot, or at the most a two-card ballot. In San Francisco we had a four-card ballot, therefore we must count more ballot cards, and we are counting 89,000 cards a day – a large number, but which is only 20,000 ballots a day. Another point to remember is when the ballots are received. In Oregon, their entire office is organized around vote by mail elections, but in San Francisco we have two elections going on – vote by mail, and polling place elections. Therefore San Francisco's resources are not concentrated on vote by mail like Oregon's.

Director Arntz reminded the Commission of the procedure for counting Absentee or vote by



mail ballots. Before they are counted, the signature on the envelope must be verified by comparing it to the voter's signature on that voter's registration form. Then the number of ballot cards in the envelope are checked and rechecked to be sure the number is correct. The ballots are counted again a fourth time and then they are sorted by precinct and then they are opened and batched for the equipment to count.

President Gleason called to the attention of the Director and Commission the number of voters who complained that they had registered to vote at the Department of Motor Vehicles but whose names were not on the voter roster at their polling places.

5. **Commissioner Reports.**

(a) Commissioners will report on their experiences and observations of the November 4, 2008 Consolidated Presidential Election.

Commissioner Matthews reported on his observations regarding the DRE (Director Recording Equipment). The Commissioner expressed concern whether the training and materials for poll workers addressed the DRE issues appropriately for this election. The usage of the DRE for the election was lower; it was 4% for the last election and 2% for the recent election. However, ten percent of all the 561 polling sites account for half of all the DRE usage for the November 4, 2008 election. This indicates an over use - a hotspot. This is an indication that pollworkers and inspectors are receiving the wrong training. Commissioner Matthews will make more detailed comparisons of the numbers of DRE users and the precincts with the higher number of users and report his findings at the next Commission meeting in December.

Commissioner Yeung reported that he canvassed approximately 14 precincts in districts 3, 5, 11, and 10 on election day, and spent an average of 20 to 30 minutes at each site observing general operations. The vast majority ran smoothly especially considering the very high voter turnout. He observed that inspectors and/or poll workers were proactively offering voters to use the DRE in three of the precincts – and the voters didn't appear to have disabilities. Two out of the three times appeared to be because the workers wanted to lessen the time voters were in line to vote. The Commissioner observed a voter rejecting the offer to use the DRE, saying that he preferred to use the paper ballot. Among his observations, Commissioner Yeung noticed that workers were not handing out the blue secrecy sleeve to voters; clerks were holding ballots, looking at them and then processing them; when ballots were rejected, workers did not refer to the tape report to tell voters the problem but looked at the ballot and told them what to do to correct the problem. Commissioner Yeung said that he noticed nothing that prevented anyone from voting, but perhaps future training could lessen these concerns. Five of the fourteen polling sites had some type of confusion in identification of voters. Two sites had inspectors requesting identification from every voter. Commissioner Yeung asked one inspector why he was doing this and was told that the inspector heard on the news that he was supposed to do this. At one polling site, an inspector arrived late, posted all the electioneering signs on the front door instead of posting them 100 feet outside the site. Commissioner Yeung returned



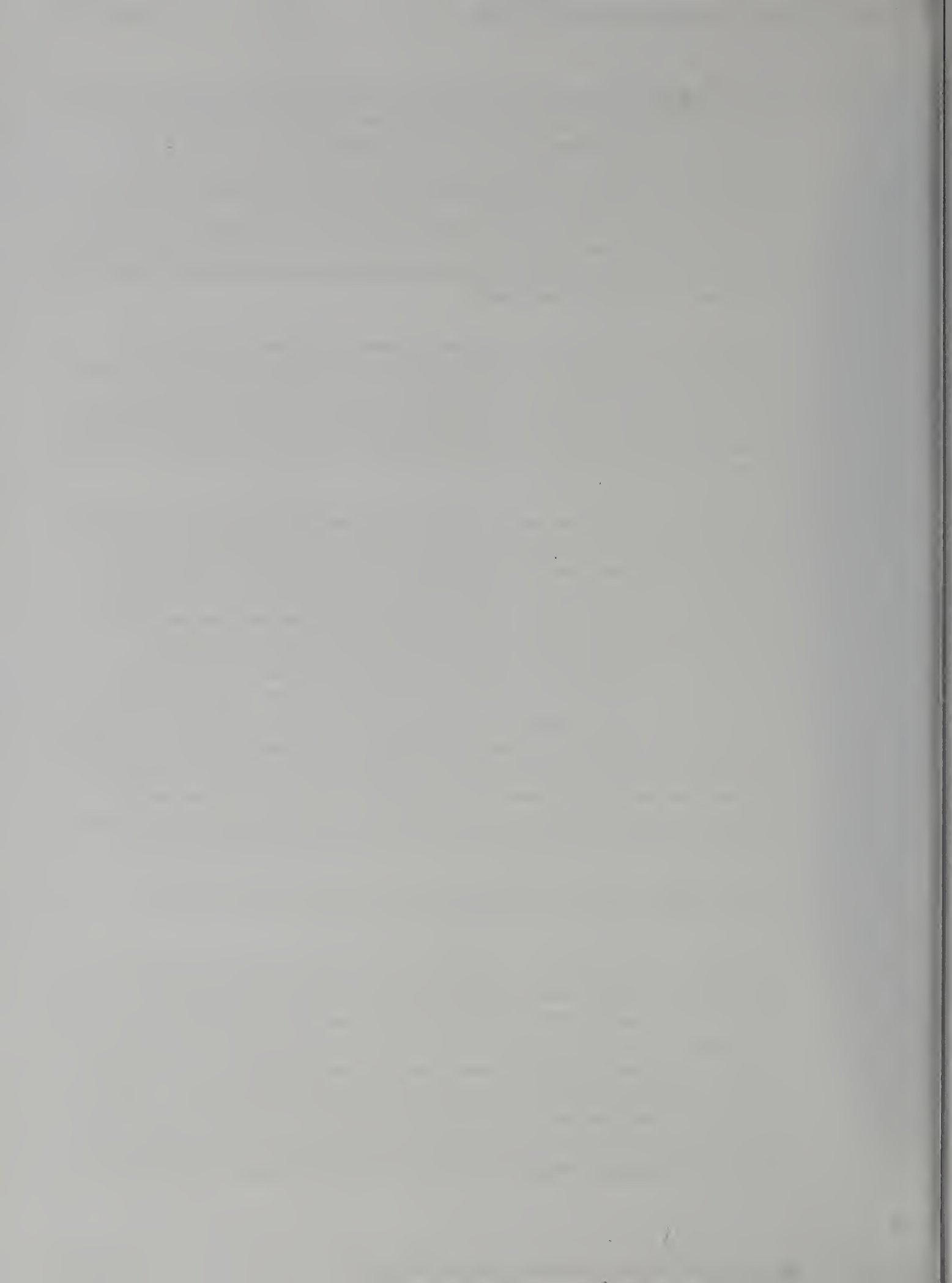
to this same polling site later in the day and found that the inspector had been replaced by 10:30 am by some one who knew what needed to be done and had the site running well. The Commissioner reported that he observed a poll worker speaking in Cantonese and appeared to be steering a voter to vote in a certain way on an issue. The other two pollworkers were visibly uncomfortable with this activity and commented to him that he should not be steering voters. The Commissioner spoke to the inspector who said that because she didn't speak Cantonese, she had no idea what the pollworker was saying to the voters and therefore unable to hold them accountable and was glad that Commissioner Yeung had informed her of the situation.

In precinct 3346, Commissioner Yeung said, apparently a pollworker who had been intimidating voters throughout the day was reported by a campaign staff observer around 10:00 am (this was reported to the Commissioner at approximately 4:45 pm when he arrived at the site) and the worker was dismissed by the FED (Field Election Deputy) just as the Commissioner arrived. Because the inspector was told of the problem at 10:00 am, the FED dismissed the inspector as well.

Commissioner Joseph Phair reported that he visited seventeen polling places which were located in precinct 7 and precinct 10, and he observed that the pollworkers were very competent and he witnessed no major problems. The Commissioner recalled a very experienced inspector raised the question "from where does the 100 feet boundary for electioneering prohibition begin." The inspector told Commissioner Phair that he had gotten two different responses to this question when he contacted the Elections Department. Commissioner Phair asked the Director for the answer and Mr. Arntz responded that it's 100 feet from where the roster is being signed. The Commissioner reported that he observed ballot jams in the equipment, but most were due to voters not removing their receipts from the bottom of the ballot. He recalled his report of commercial establishments as polling sites during the June election and said he was not surprised to hear that there had been problems at "The Toy Boat" during the November election because the establishment is very small, and asked that the Department reconsider using it in the future. The Commissioner's complete report is attached to these minutes.

President Gleason's report is attached to these minutes and he said his training experience was excellent and congratulated the Department.

Commissioner Safont said that her experience from training to working the election as an inspector was incredible. She reported that during her training session, workers were told that if one voter used the DRE, then five more voters had to be encouraged to do so. The Commissioner questioned this policy, but two trainers told her that their information was correct. Supply pick up and delivery was great. Commissioner Safont was assisted by three very competent high school students, and one experienced pollworker. There was one incident of electioneering in the window of a home next to the polling place. Twenty people had already lined up at 6:30 am and continued to grow until poll opening at 7:00 pm. Once voting began, people were taking a lot of time deciding and marking their (4)



ballots in the four booths at her site, and she had been supplied only 12 pens for the voters.

Although the Commissioner removed the pen's caps, pens continued to disappear, and this slowed down voting. When the FED was told more pens were needed, the FED informed the workers that he had no more. Most people were understanding about the delay but some voters were very angry.

Commissioner Yu said that she has greater appreciation for the logistical requirements of putting on an election, and that reading the Election Plan is no replacement for hands on experience with an election. The Commissioner took two classes, the training for new inspectors and for pollworkers, because she felt she needed more training. Whenever "pollworker" Yu contacted a FED during election day, she received prompt response. Due to the absence of one student pollworker, Commissioner Yu's site had two students and one very experienced pollworker. She reported ballot jams with the Insight machine and response was prompt and many errors were cleared quickly with telephone instruction from election central. The Commissioner said that the information cards on the voting equipment were very helpful in explaining RCV to voters.

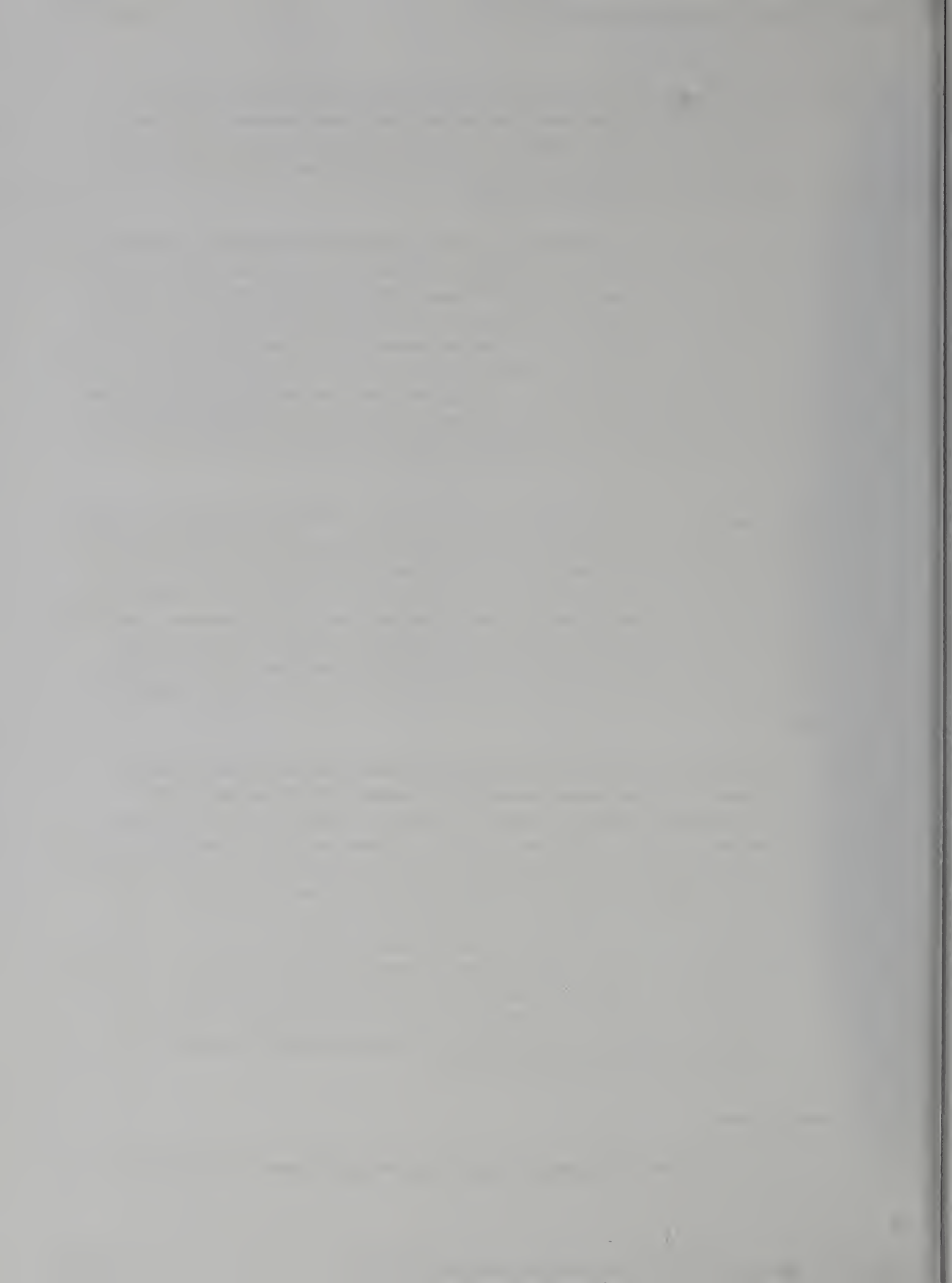
Public Comment. *Otto Duffy* suggested that some voters had difficulty keeping their personal feelings, on election day, private. *Sacha Ielmorini* said that she worked as an inspector for the election and that she hoped the department would take note of problems like one box of pens per precinct and make improvements for the next election. She said that other counties have more experienced poll workers which include judges who work as "mini" inspectors. *David Pilpe* said that as a voter, he was annoyed by the S.F. Examiner story about faster election day reports, and that he would rather have the "right answer" than the faster answer and that he understands this takes time. Mr. Pilpel reminded the Commission of its duty to evaluate the Election Plan.

5 (b) **Discussion and possible action regarding further Commission observations, research or investigations needed for evaluation of the November 4, 2008**

Consolidated Presidential Election. Commissioner Matthews said that he would complete his report of DRE usage. President Gleason said that he would give a report of Provisional Ballots and Absentee Ballot usage, and reminded everyone that the election is not final and the Commission's evaluation would not be until the December 17, 2008 Elections Commission meeting. Commissioner Phair suggested IRIS Report review assignments for Commissioners to make suggestions for improvements. This suggestion was accepted as follows: Electioneering – Commissioner Phair; Equipment mal-functions – Commissioner Matthews; Pollworker errors – Commissioner Safont and Commissioner Yu; Bi-lingual problems – Commissioner Yeung; Poll site openings – Commissioner Gleason. Also DMV (Department of Motor Vehicle) voter registration deficiencies should be an ongoing concern for this Commission.

6. **New Business**

a. **Discussion and possible action to approve the Minutes of the October 15,**



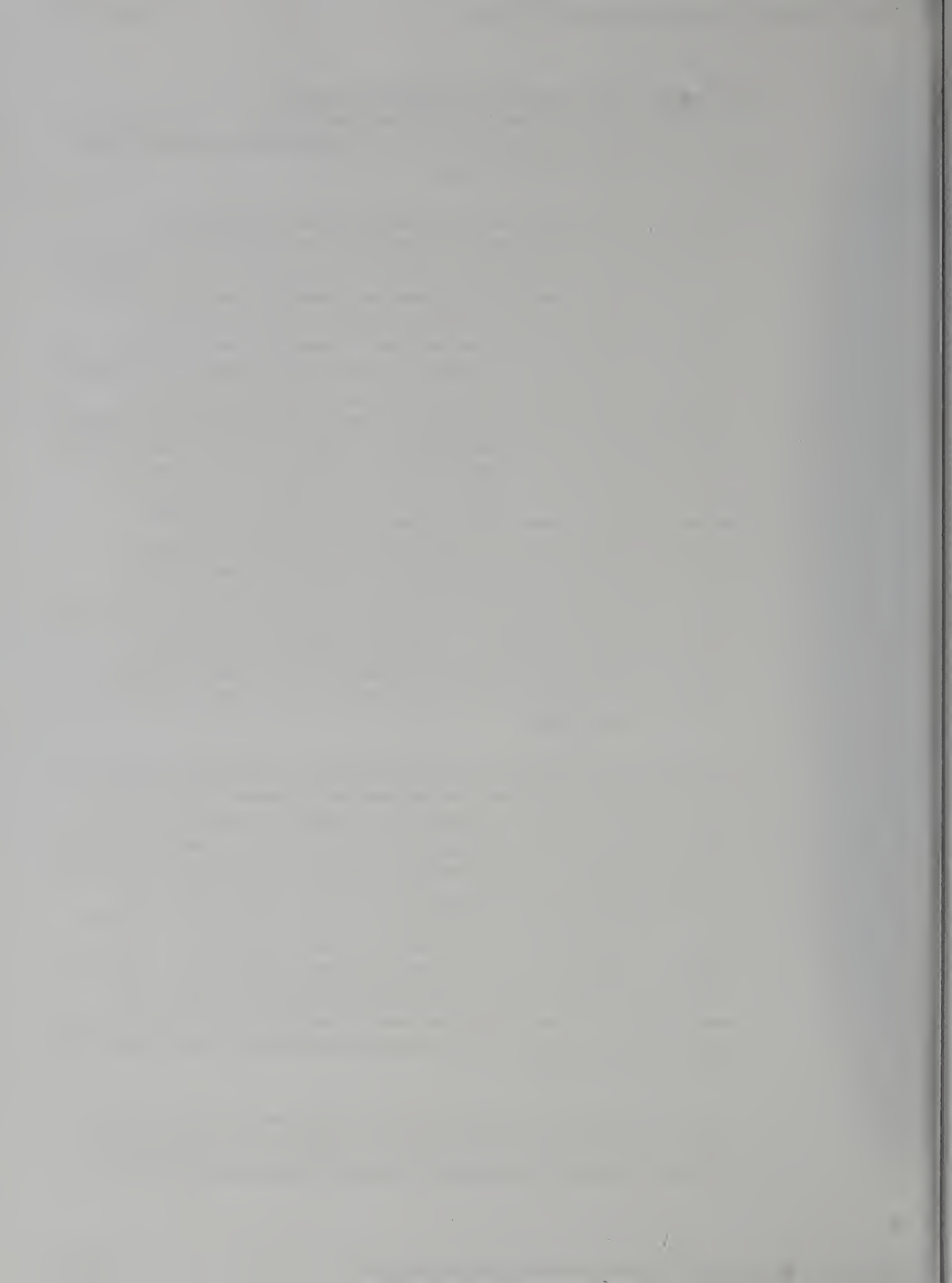
2008 meeting, and the October 20, 2008 Special Meeting.

Commissioner Matthews MOVED and Commissioner Gleason SECONDED the approval of the minutes. The Roll Call Vote was UNANIMOUS to accept the minutes with minor corrections from David Pilpel.

- b. **Discussion and possible action regarding the Board of Supervisors establishment of a Voting Systems Task Force.** Commissioner Phair expressed his surprise that the Elections Commission had not received any communication from the Board of Supervisors regarding its intention to establish a task force on voting systems. He said his first knowledge of the Board's intention was from the newspaper on election day and that the Board's meeting was held on that day. The Commissioner asked that the Commission express its disappointment to the Board at not being consulted and he asked for comments from other Commissioners regarding the Board's action and whether members of the Commission should seek a meeting with Supervisor Ammiano regarding this matter. President Gleason MOVED to appoint Commissioners to meet with Supervisor Ammiano and Commissioner Matthews SECONDED the motion. Commissioner Matthews reported that he received a phone call earlier today from Mr. Roger Donaldson in which Mr. Donaldson said that he was the principle author of the Board of Supervisor's ordinance regarding the voting system task force and that he hoped that the Elections Commission would not take the action by the Board as a snub. The Supervisor felt that the Commission had not been responsive to this issue in the past and wanted to see it go forward. Commissioner Matthews explained to Mr. Donaldson that the bulk of the public's comments to the Commission regarding voting systems were about "open source", which is in some ways the least important part of the voting systems.

Commissioner Phair asked that the minutes reflect that he stated that in the year that he has been on the Commission "he has never seen Supervisor Ammiano or any other member of the Board in attendance at an Elections Commission meeting, and doesn't recall Mr. Donaldson's discussion requesting action on establishing a group to evaluate equipment." The Commissioner added that "this is ridiculous for the City and County of San Francisco to spend its resources to develop hardware and software which is proprietary to our county when we have a state which is the fifth largest economy in the world – we should have equipment that is for the state of California. This should be taken up with the Secretary of State (SoS). We shouldn't have counties out there buying or developing equipment which is then stuck in warehouses and not used, such as the county of San Diego, which I understand has \$15 M worth of hardware sitting in a warehouse that can't be used at all because the wrong decision was made."

The Commission decided to add to the motion the appointment of members Phair, Gleason and Matthews to meet with Supervisor Ammiano or any other member of the Board of Supervisors regarding the proposed Voting Equipment Task Force.



Public Comment. *Sacha Ielmorini* said that there was a hearing on this subject on October 20, 2008 that she attended and explained that it was brought to the Board of Supervisors because some citizens thought it was too big of a task to ask the Department or the Commission to perform because those bodies "already have a full plate". *David Pilpel* suggested that the Elections Commission calendar a meeting in which it will appoint a member of the Commission to the Task Force should it go forward.

Commissioner Phair asked that the record of this meeting reflect his statement that he has never heard a member of the public ask the Elections Commission to establish a Voting Systems Task Force.

The Roll Call Vote was UNANIMOUS to organize and schedule a meeting with Supervisor Ammiano or any other member of the Board of Supervisors regarding the Board's proposed Voting Equipment Task Force.

7. Discussion and possible action on written and e-mailed communications from the public to the Commission; Communication from Mr. William J. Smith.

President Gleason gave a brief description of the communication and agreed that the issue of possible disruptions to voters while they are voting by electronic devices is one that the Commission should consider, and suggested that the Secretary of State and the City's lobbyist be contacted, because there may need to be a change in the Election Code regarding these devices not be used in the polling place except where the person is communicating with the Department of Elections. Commissioner Matthews recalled his experience of hearing a voter, in the voting booth, having a conversation in which she vocalized how she was voting.

Commissioner Phair asked the Deputy City Attorney if the City could adopt a policy about this type of electioneering. Deputy City Attorney Lee said that the electioneering laws are a matter of state law, and the City cannot adopt anything to preempt state law, however there might be some local policies the City could adopt to deal with some of the more egregious examples.

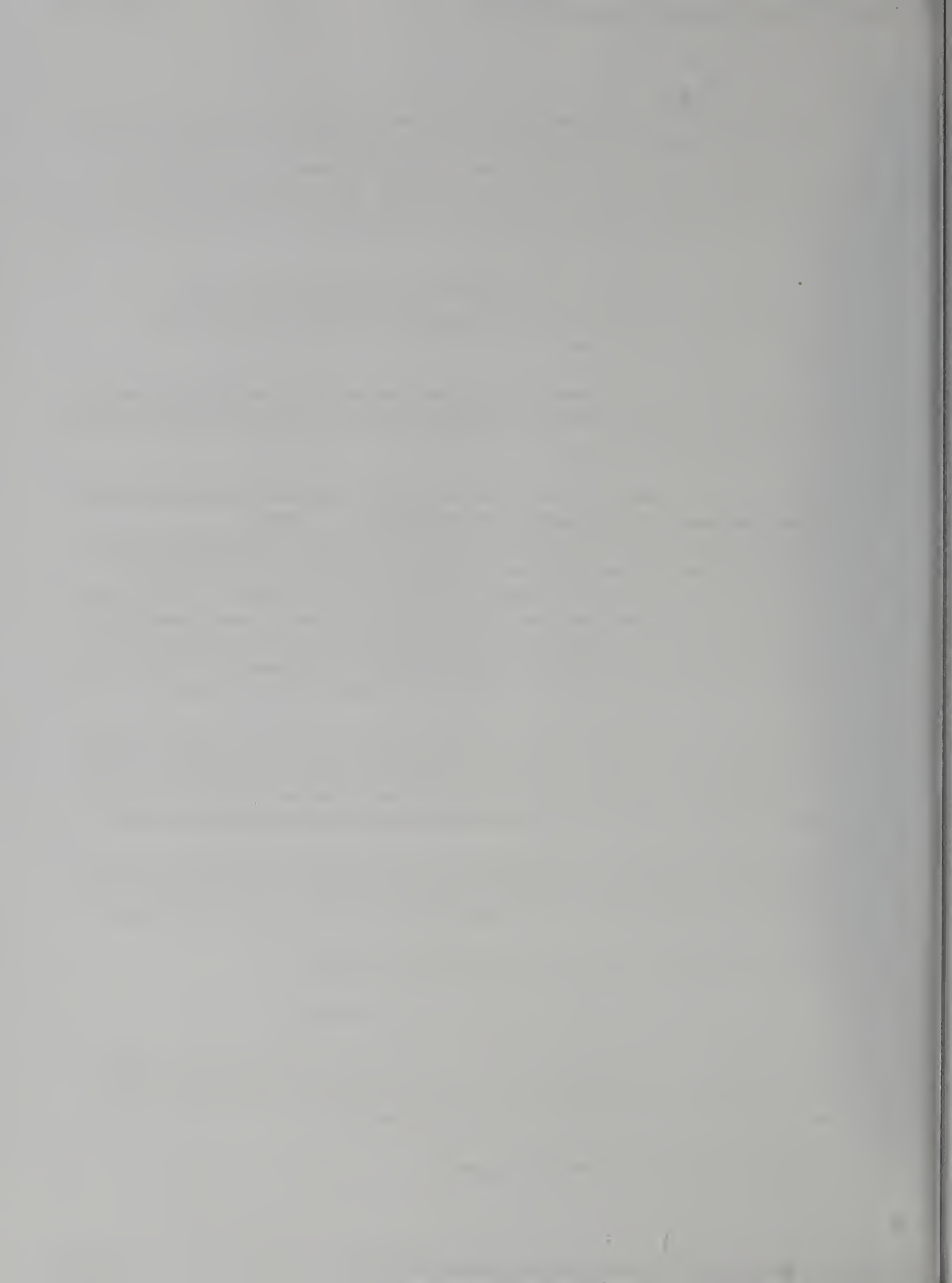
Commissioner Phair said he was looking for some way to limit the use of electronic devices in the polling place, not adding something to the electioneering laws. For example, Restaurants have signs that say "no cell phones or electronic devices", why can't the City do the same.

Deputy City Attorney Lee said she would research this possibility.

This item was continued to a future Elections Commission Meeting.

Public Comment. *David Pilpel* said that informal communications with the Secretary of State's office was a possibility. He said that the usual route for Commissions to express their views on state legislation is through the City's State Legislation Committee.

8. Discussion regarding items for future agendas



Commissioner Matthews requested the following items; a hearing or special meeting regarding the DMV-Motor Voter program; a hearing or special meeting devoted to the issue of privatization of election functions; performance reviews of the Commission Secretary and the Director of Elections.

ADJOURNMENT AT 8:15 pm

ATTACHMENTS:

SUMMARY OF EXPERIENCES FROM ELECTION DAY -- NOVEMBER 4, 2008

[GLEASON]

The following is a summary of Election Day activities at the precinct where I served as a poll worker (Inspector) for the recent General Election. This summary is meant only to provide an overview of my experience and observations that day while serving as a pollworker and related activities to serving as a pollworker. I submit this to you before the Commission meeting on November 19, 2008 in order to conserve time at that meeting.

Election Day: November 4, 2008

Precinct 2112 - 235 12th Avenue - Sutro Elementary School (SF Supervisor District 1)

Training class: Saturday November 1, 2008

Length: 1.5 Hours (Experience Inspector)

Ballot & Precinct supply pickup: after training class, Civic Auditorium

pick-up time process: less than 6 minutes

Pollworker crew other than myself

1 Adult clerk, 3 high school student clerks -

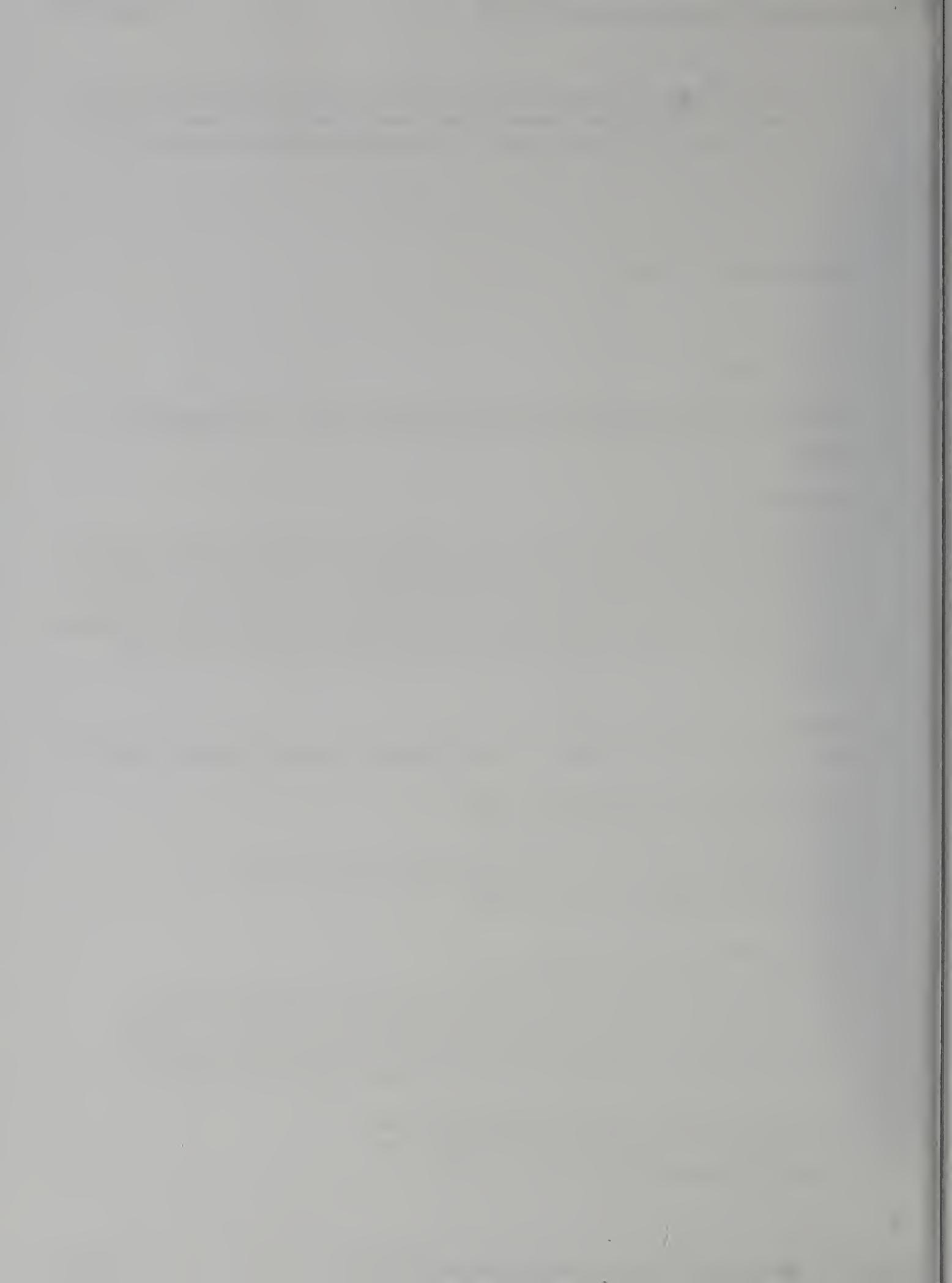
2 of the high school student clerks served as the required bilingual translators. I observed that translation services were needed several times that day. Students represented three participating SFUSD high schools (Galileo, Lowell, Washington).

Pollworker arrival time at precinct: all arrived between 5:45AM and 5:55 AM.

Voters listed on Roster (Active & Supplemental): 1023

Voters who signed roster at precinct and voted: 445

Provisional Ballots cast: 13



Vote-by-Mail (VBM) Ballots dropped at Precinct: 73
Surrendered VBM Ballots: 3
VBM Ballots issued before the election as noted on roster: 396
Spoiled ballot cards: 50

Voters in line when Precinct opened at 7:00AM : 38

Examples of cause for Provisional ballot cast:

- 1) Not on roster: Voter stated she registered to vote in Orange County , was told she could cast a provisional ballot
- 2) Not on roster: Voter stated she thought she had registered when she completed a change of address with United States Postal Service
- 3) Not on roster: Voter appeared to have voter registration postcard from SF DOE verifying voter registration on August 18, 2008 at address in Precinct 2112. Her husband had his won copy of same SF DOE voter registration verification postcard, from the same date, and he was on the roster for Precinct 2112

One voter arrived at 7:20 PM with a yellow Vote-by-Mail ballot for Placer County (Auburn).

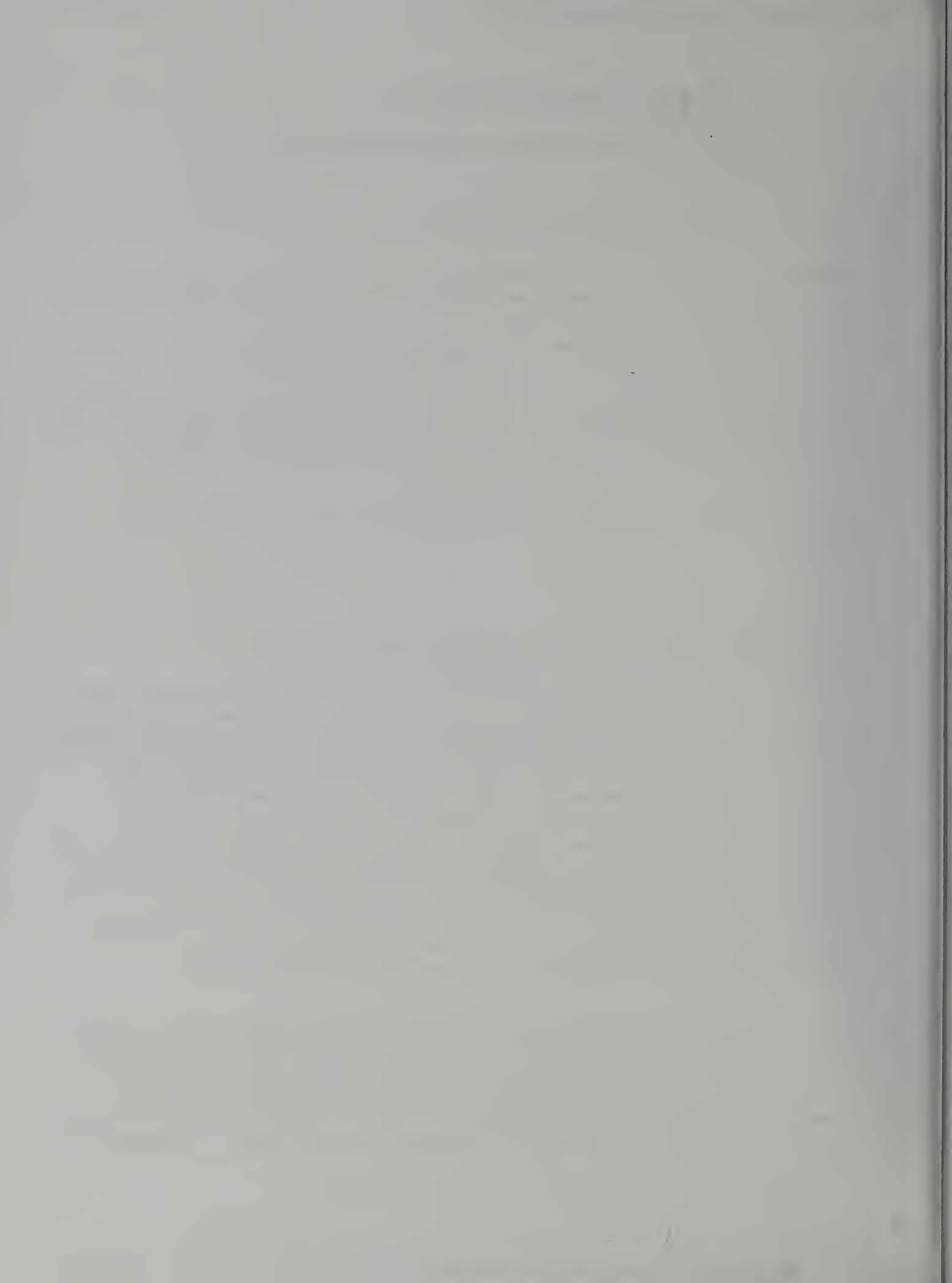
Voting Equipment

Sequoia Insight (optical scan): Public Counter at close of polls: 1782

Sequoia Edge (touchscreen/DRE): Public Counter at close of polls: 0

Ballot transfer: Sequoia Insight ballots started to jam at 670 on the LED Public Counter (670 cards in machine). This occurred at approximately 10:15 AM. After a call to the Field Election Deputy (FED) and the DOE Command Center, it was determined the FED could not arrive within a reasonable amount of time to transfer the ballots to allow voting to continue for voters waiting. I opened the doors to the ballot storage area, reaching my arm in, rearranged the pile of ballots cards in bin #2 and closed the storage area doors. This allowed ballots to now have room to continue to drop into bin #2. This gave us another 45 minutes of ballot accepting until our FED arrived and we completed the one transfer of ballots that day. The ballot transfer at Precinct 2112 was the first one our area FED had done that day. The ballots started to jam again in the evening, after 7:00PM and we were required to lift the ballot tabulator and reposition the receiving of ballots in storage bin #2 for the least few voters of the day.

The precinct did not have an SF DOE supplied table to use for roster signing and ballot distribution when I arrived at 5:45 AM. I believe SF DOE intended for us to use one of the many school cafeteria tables in the room. As those tables have built in benches, my one adult clerk could not sit at them (access issues and backless) and voters cannot completely approach the table to sign the roster. I called the SF DOE command center. A DOE table was delivered to the precinct at 6:05AM (within 15 minutes of the call).



Our precinct never received the Yellow (Voter Identification Required) Roster that was supposed to be delivered to our precinct. I overlooked inquiring about it to our FED.

Shortage of ballot pens (some disappeared with voters) was problematic during the first hour of voting. Our FED delivered a few additional ballot pens and the school office where the precinct was located provided us with several #2 pencils for voters to use to mark their ballots. The school office also provided band-aid for the numerous paper cuts from ballot handling.

Last voter of the day placed ballots in the Insight at 8:25PM

Voting machine memory packs and tally tape were picked up by Parking Control at 8:40PM (Parking Control had been there earlier, by re-routed due to voters still marking ballots).

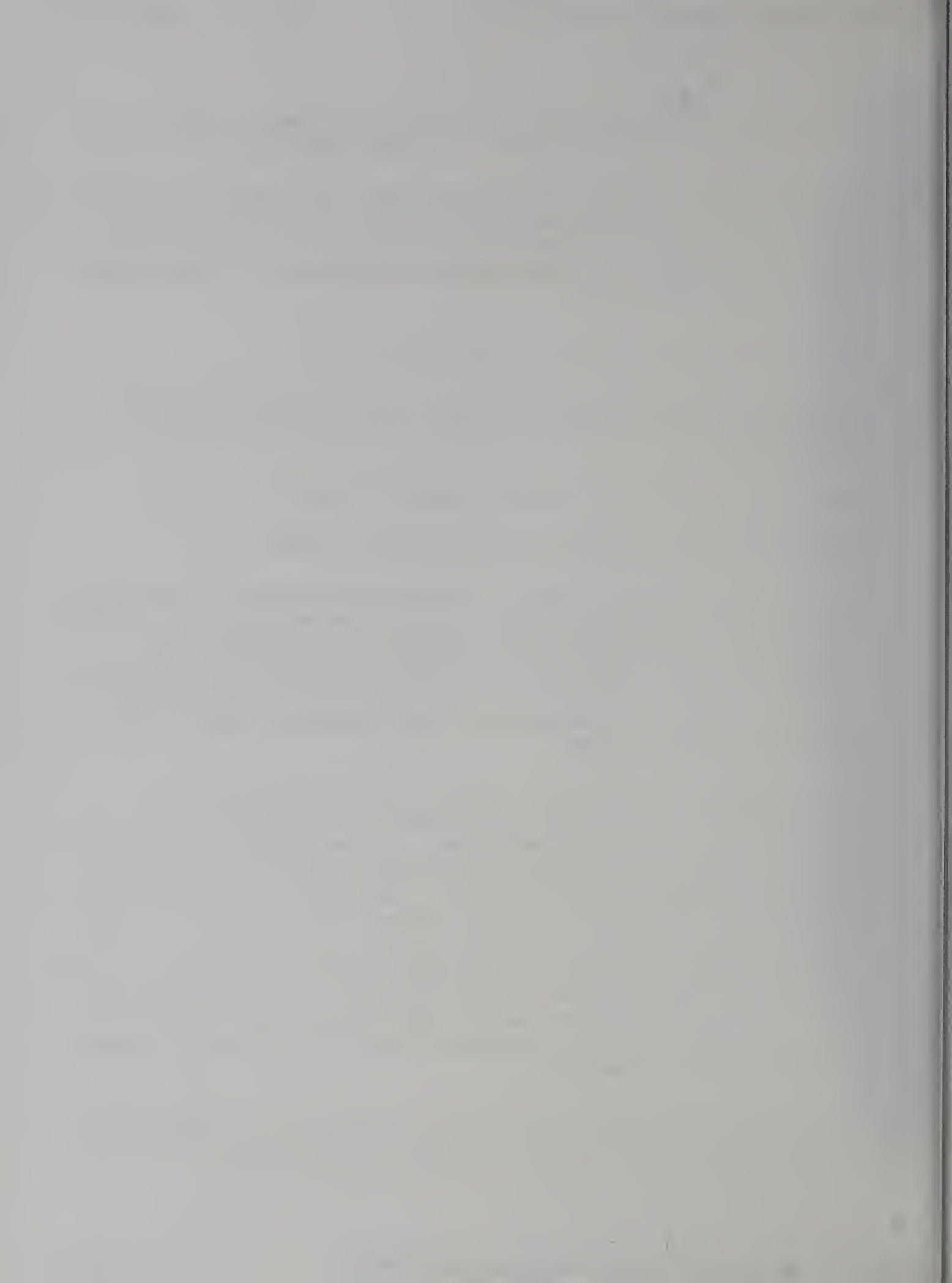
Student clerks completed tasks and were dismissed at 9:15PM

Sheriff arrived to pick up ballots and other materials at 10:05PM

At the opening of our precinct we had 18 visiting election observers from Mexico, from various government agencies and NGOs. This group observed the setup of our precinct and the first 45 minutes of voting before leaving to visit other precincts in San Francisco and voting in other counties. An attached news article from the *Santa Cruz Sentential* of November 5 describes more on this group's visit. SF DOE arranged a visit and tour of the office for this same group on Sunday November 2, led by SF DOE spokesperson Giannana Miranda.

Special mention: Before the election, I signed up with a nonprofit group called Pollworkers for Democracy, which was organized by the Credo cellular phone service (a division of San Francisco-based Working Assets). I signed up with the group out of curiosity as to what they were doing. The organization claims to have recruited over 12,000 people to work the polls on November 4. During the preceding month before the election, Pollworkers for Democracy had arranged a series of telephone conference calls involving pollworker information and issues; one call hosted California Secretary of State Debra Bowen. One great surprise benefit of signing up with the group was that on Election Day, Robert McKenzie who is the Pollworkers for Democracy coordinator for SF County, delivered hot coffee and food (bagels & cream cheese) to the crew at my precinct. Our entire staff of pollworkers at Precinct 2112 was extremely grateful for this kind and unexpected treat.

(Note: the LED counter at the end of the day is not divisible by the 4 ballot cards for 445 voters having signed the roster. There may be 2 extra cards from spoiled ballots that were inserted in error. This may have occurred at about 3:15PM.



All Numbers provided are from information collected from pollworkers at the end of the day at the precinct and have not been verified)

San Francisco Elections Commission
Commissioner Joseph B. Phair

Report on November 4, 2008 Election Precinct Polling Places Review

Further to the Elections Commission's (the Commission) authorization at its October 20, 2008 meeting, I visited and reviewed voting operations at eighteen (18) polling places from 6:30 AM to 6:00 PM during the November 4, 2008 election. Polling places visited were in Precinct 7 (west end) and Precinct 10 (east end). Following is a summary of findings and observations at these polling places.

In summary, no irregularities were observed. All polling places reported opening on time, adequate numbers of ballots (while some polling places came close to running out of ballots before noon, replacement ballots were delivered by the Department's FED personnel in time at those locations), adequate numbers of poll workers, competent Inspectors, generally adequate facilities, no major equipment problems (see specifics below) and no difficulties or voter issues regarding emptying the Sequoia optical scan equipment (OSE) during the voting period. Polling places located in open areas, such as garages in the City's western end, were cold and windy, but not excessively problematic.

Observations and recommendations, including those reported by the poll workers/Inspectors, are summarized below.

Precinct 7 Polling Places (numbers identify the specific polling place):

2734 Garage, 32 San Jacinto Way 6:30 to 8:15

Opened: On time. Observed opening and "zero out" of OCR. Polling place adequately arranged at opening.

Lines at Open: 13

Number Voting Booths: 6

Staffing: 2 adults, 3 students (one adult Chinese fluent)

Equipment: Some Difficulty starting the touch screen but it was working by 8:00 am.

OSE Count: 130 as of visit (no line at that time)

Touch Screen Vote: One voter was not able to use the equipment in morning due to a delay but this didn't prevent the person from voting.

Provisional Ballots: A few vote by mail ballots were dropped off in the morning

Ballot Availability: Adequate in morning



Supplies: Adequate

Conditions: Cold and windy

Observations, Comments and Recommendations: Poll workers were not well versed on touch screen operation. Did not observe touch screen use.

2733 School, 105 Aptos Ave 10:15

Opened: On time

Lines at Open: 32 reported. No line as of visit

Number Voting Booths: 6

Staffing: 3 adults, 3 students

Equipment: Inspector stated that he didn't like the touch screen. No problems reported.

OSE Count: 702 as of visit

Touch Screen Vote: 0 reported as of visit

Provisional Ballots: None reported as of visit

Ballot Availability: Adequate as of visit

Supplies: Adequate as of visit

Conditions: Excellent

Observations, Comments and Recommendations: Inspector reported that the voter information guides were a nuisance and they didn't have any State guides (but some were delivered by the FED later in the day).

2749 Garage, 95 Keystone Way 10:33 am

Opened: On time

Lines at Open: 15, voting reported to have continued "non stop" for 2 hours"

Number Voting Booths: 5

Staffing: 2 adults, 3 students

Equipment: No problems reported

OSE Count: 449 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Running out at 9:30, but more delivered by 10:30 am

Supplies: Adequate as of visit, running out of pens

Conditions: Very small garage, crowded

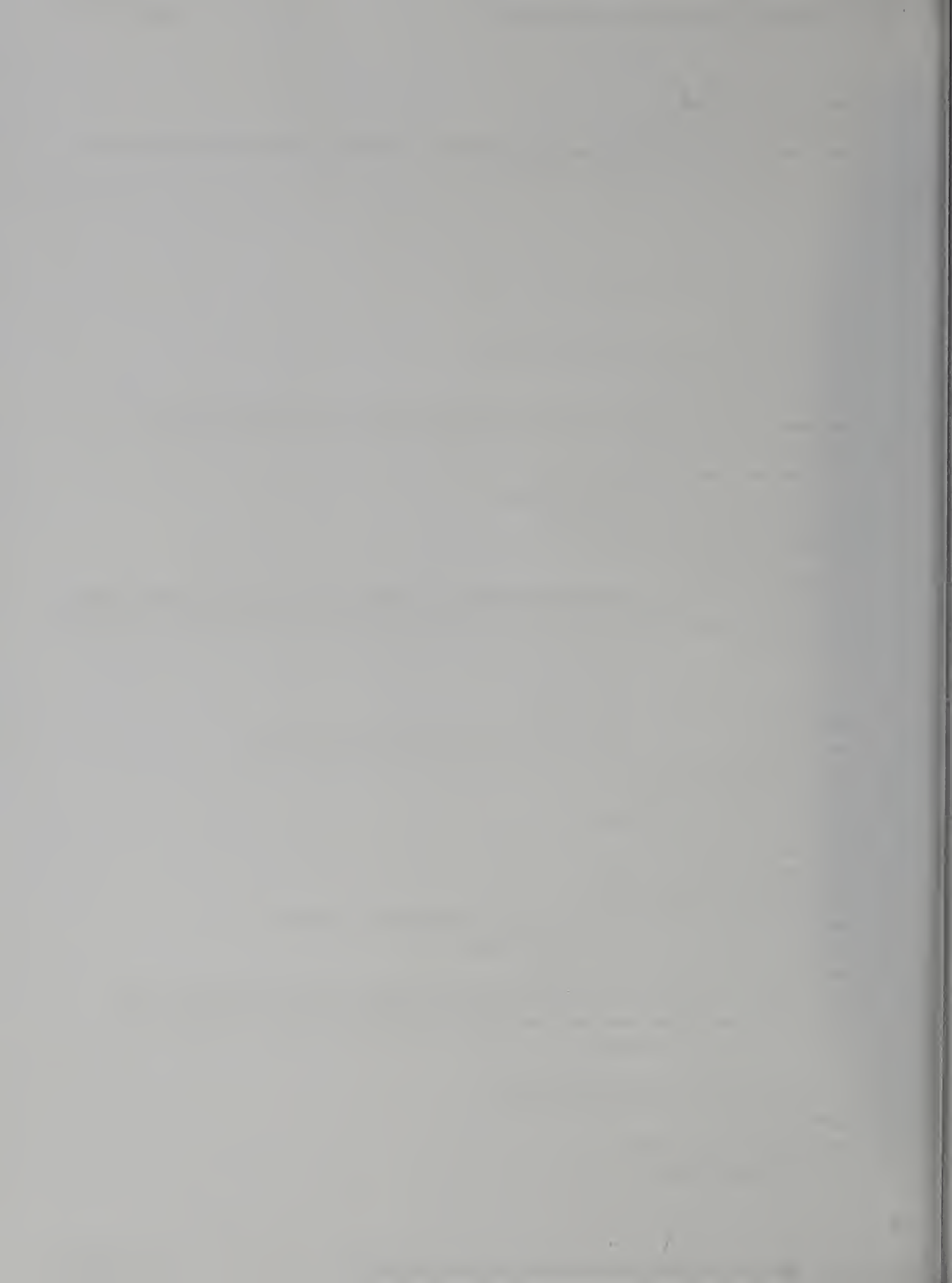
Observations, Comments and Recommendations: Inspector was very concerned re ballot availability but the shortage was addressed before the polling place ran out. Not sure how this worked out during the rest of the day.

1111 Ingleside Library, 1649 Ocean 10:35 am

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 6



Staffing: 4 (one no show)

Equipment: The OSE broke down. FED fixed it. The Inspector held the voted ballots in the blue box until the unit was working, then the Inspector fed all previously voted ballots into the OSE equipment. Equipment problem did not delay or prevent any voting.

OSE Count: 319 as of visit

Touch Screen Vote: 1 as of visit

Provisional Ballots: Not reported

Ballot Availability: No problems as of svisit

Supplies: Adequate as of visit

Conditions: Excellent

Observations, Comments and Recommendations: No difficulties as of visit

2751 Firehouse, 1000 Ocean Avenue 11:05

Opened: On time

Lines at Open: 39

Number Voting Booths: 5

Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 508 as of visit

Touch Screen Vote: 4 as of visit

Provisional Ballots: Number not reported, but the provisional voter lists were reported as being late arriving at the polling place

Ballot Availability: No problems reported as of visit

Supplies: Adequate as of visit

Conditions: Acceptable interior, but a bit crowded and difficult outside due to very busy intersection

Observations, Comments and Recommendations: Some voters complained that this is not a good polling place location. It is located at a very busy intersection (on Ocean by City College, major Muni stop and heavy traffic). There is very limited parking (unless voters park in nearby merchant lot or Muni turn-around) and no pedestrian cross walk. DoE should consider not using this facility in the future.

2753 School 250 Forester Street, 11:25 am

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 5

Staffing: 5 (2 adults/3 students)

Equipment: No problems reported as of visit

OSE Count: 463 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Came close to running out as of visit but additional ballots were delivered at 11:25 am

Supplies: No problems reported as of visit



Conditions: Excellent

Observations, Comments and Recommendations: Good location with adequate parking.

2752 Garage, 526 Flood Ave, 11:37

Opened: On time

Lines at Open: Big line (number not reported)

Number Voting Booths: 6

Staffing: 6

Equipment: Inspector reported having difficulty connecting the touch screen equipment to the electric source (plug problem). Two OSE jams, cleared by workers.

OSE Count: 776 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Not reported

Ballot Availability: Ran low early but got a redelivery.

Supplies: Low on pens as of visit

Conditions: Marginal. Very small and crowded garage. Limited parking

Observations, Comments and Recommendations: Try to locate larger facility. Staff at this location did an excellent job managing the small space. Had one problem with an elderly voter who was not listed and refused to vote provisionally, but the Inspector was able to resolve the situation.

Precinct 10 Polling Places(numbers identify the specific polling place):

3002 Playground facility, Arkansas and Mariposa Streets, 2:00 pm

Opened: Opened 5 minutes late (Park & Rec. employee late with key)

Lines at Open: 20

Number Voting Booths: 8 (not enough for this polling place)

Staffing: 4 adults and 2 students

Equipment: Touch Screen had 34 votes on it when the poll opened and the Inspector did the "zero out" test. The problem was fixed and the touch screen was operational. No other equipment problems reported as of visit.

OSE Count: 1224 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Inspector reported a lot of provisional ballots as of visit.

Ballot Availability: No problems as of visit

Supplies: Not enough "I voted" stickers or voter information books

Conditions: Excellent

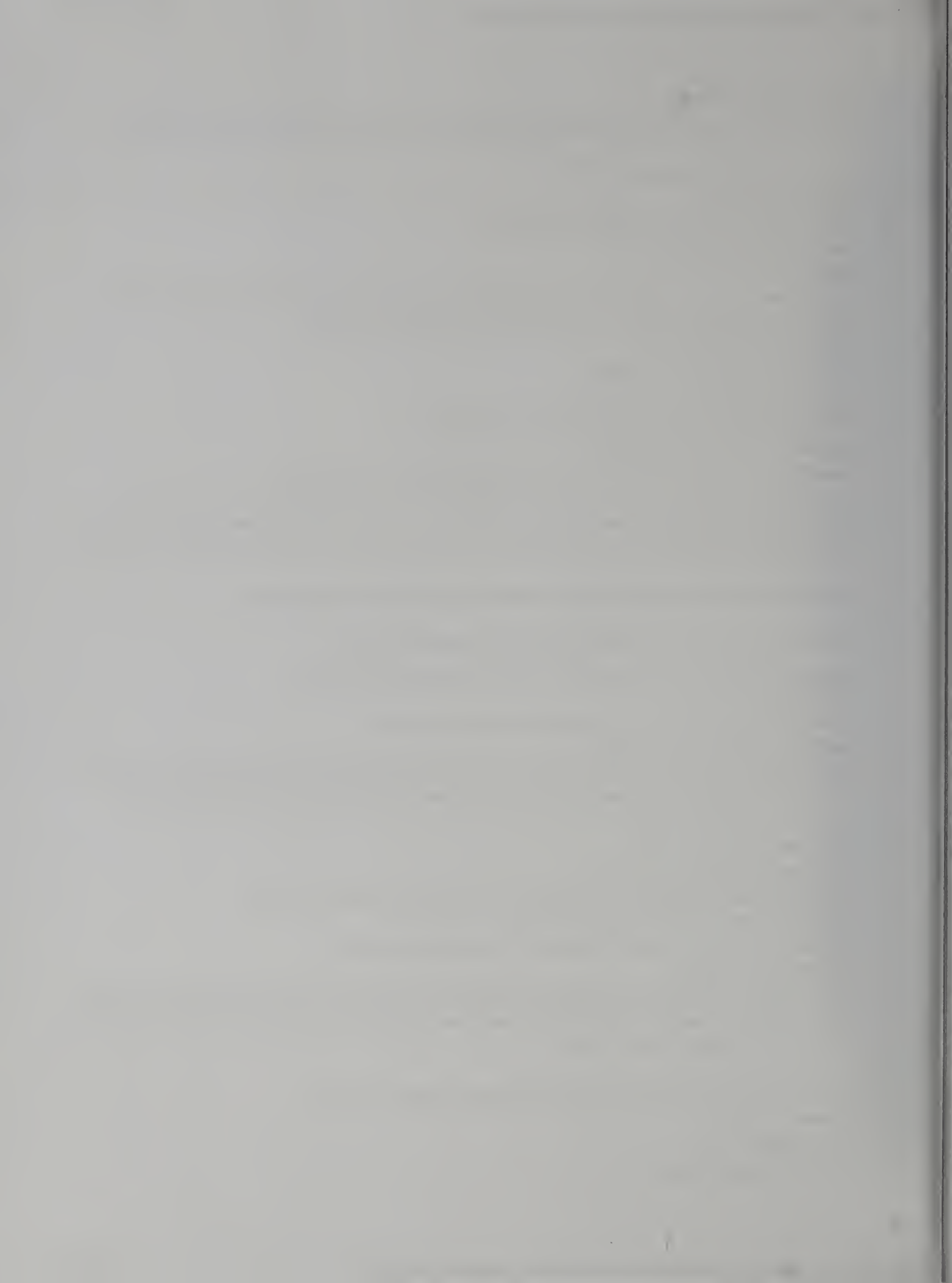
Observations, Comments and Recommendations: Very good location with a lot of parking and interior space, but need to impress on Park and Rec. the importance of being on time to allow set up and opening of polling places on time.

3005 St. Teresa Church, Sammon Hall, 390 Mission Street, 2:40 pm

Opened: On time

Lines at Open: 50

Number Voting Booths: 6



Staffing: 5

Equipment: No problems reported as of visit.

OSE Count: 900 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: As of visit there were reported to be 12 vote by mail where voter was unable to surrender the mailed ballot

Ballot Availability: Ran out of ballots in the morning and had to hold 3 people while waited or more ballots. No voters were turned away due to insufficient ballots

Supplies: No problems reported as of visit.

Conditions: Excellent

Observations, Comments and Recommendations: None

3006 Garage, 613 Wisconsin Street, 2:51 pm

Opened: On time

Lines at Open: Not reported

Number Voting Booths: 6

Staffing: 3 adults, 1 student

Equipment: OSE jammed a number of times, twice while I was on site. Problems related to over-votes (2 while I was on site). The Touch Screen equipment wasn't working properly when the polling place opened therefore the unit had to be replaced.

OSE Count: 923 at 3:00 pm

Touch Screen Vote: 0 as of visit

Provisional Ballots: A number of non-SF voters voted in the presidential election. See below re individuals dropped from the voter list.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Adequate, some crowding in a very narrow space (like a hallway).

Observations, Comments and Recommendations: The Inspector reported that he had experienced a number of individuals who had been dropped from the voter list, situations where the husband was still on the list but the wife had been dropped for no evident reason.

3009 Recreation Center, Potrero Hill, 801 Arkansas Street, 3:37 pm

Opened: On time

Lines at Open: No line when opened

Number Voting Booths: 5

Staffing: 2 adults and 3 students

Equipment: No problems reported as of visit

OSE Count: 246 as of visit

Touch Screen Vote: 0 as of visit

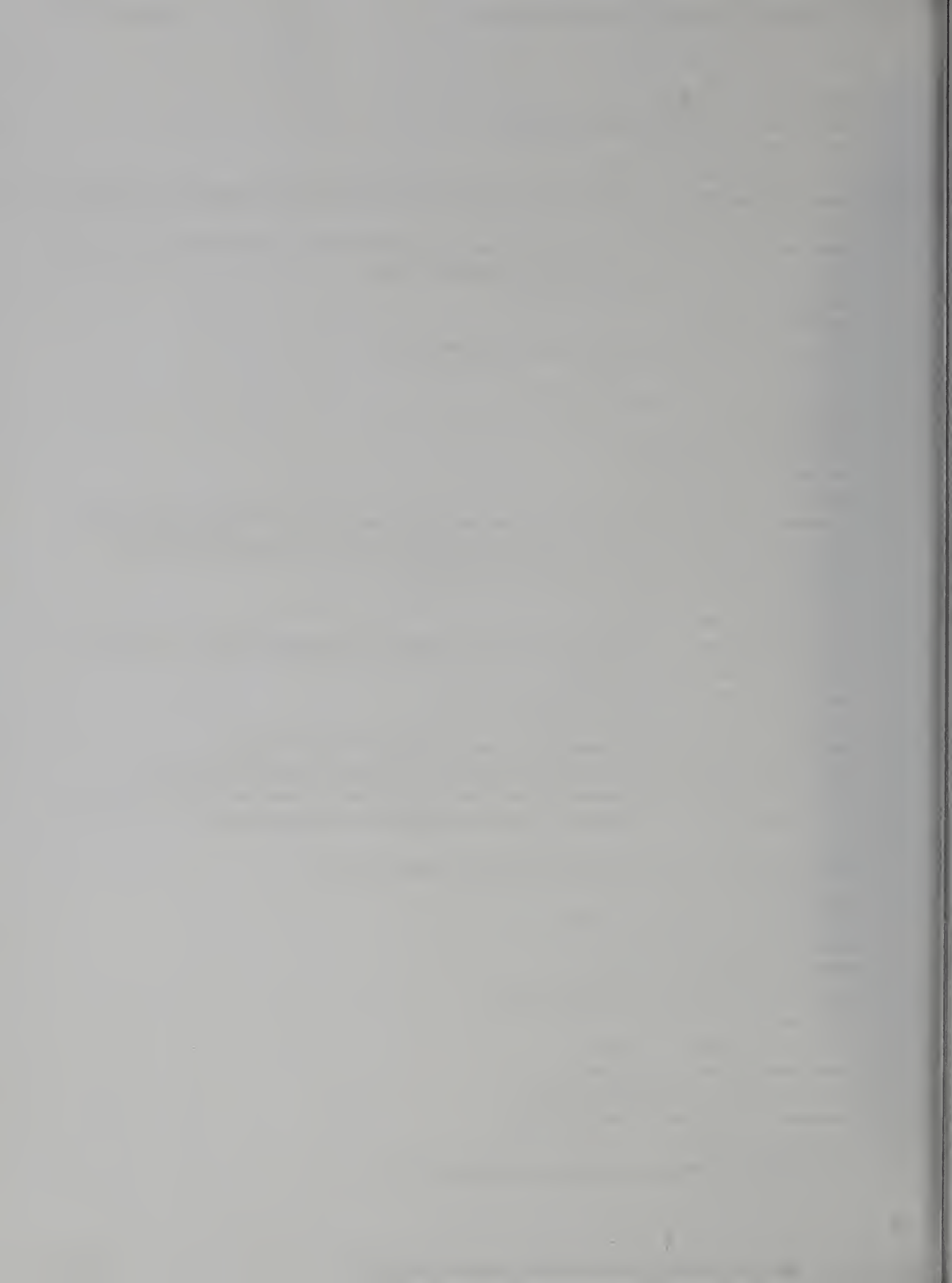
Provisional Ballots: Not reported

Ballot Availability: Adequate as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations: None



3008 School, 1251 Carolina Street, 3:37 pm

Opened: On time

Lines at Open: 21, very busy until 11:00 am

Number Voting Booths: 6

Staffing: 3 adults and 3 students

Equipment: Minor jamb of the OSE when in reached 900 votes, -- wouldn't feed. No problems after the unit was emptied (once prior to my visit)

OSE Count: 1080 as of visit

Touch Screen Vote: 0 as of visit

Provisional Ballots: Reported about 24 provisional ballots as of visit, mostly individuals who were voting out of their registered polling place or vote by mail voters who did not have their mailed ballot to surrender.

Ballot Availability: No problem reported as of visit

Supplies: Adequate as of visit

Conditions: Excellent

Observations, Comments and Recommendations: None

3003 School 2641 25th Street, 3:57 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 6

Staffing: 3 adults and 2 students

Equipment: No problems reported as of visit

OSE Count: 875 as of visit

Touch Screen Vote: 13 as of visit

Provisional Ballots: A lot of provisional ballots, mostly out of precinct voters and late registrations that didn't get a voting registration acknowledgement in the mail.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations:

3001 Firehouse, 299 Vermont Street, 4:20 pm

Opened: On time

Lines at Open: 5

Number Voting Booths: 6

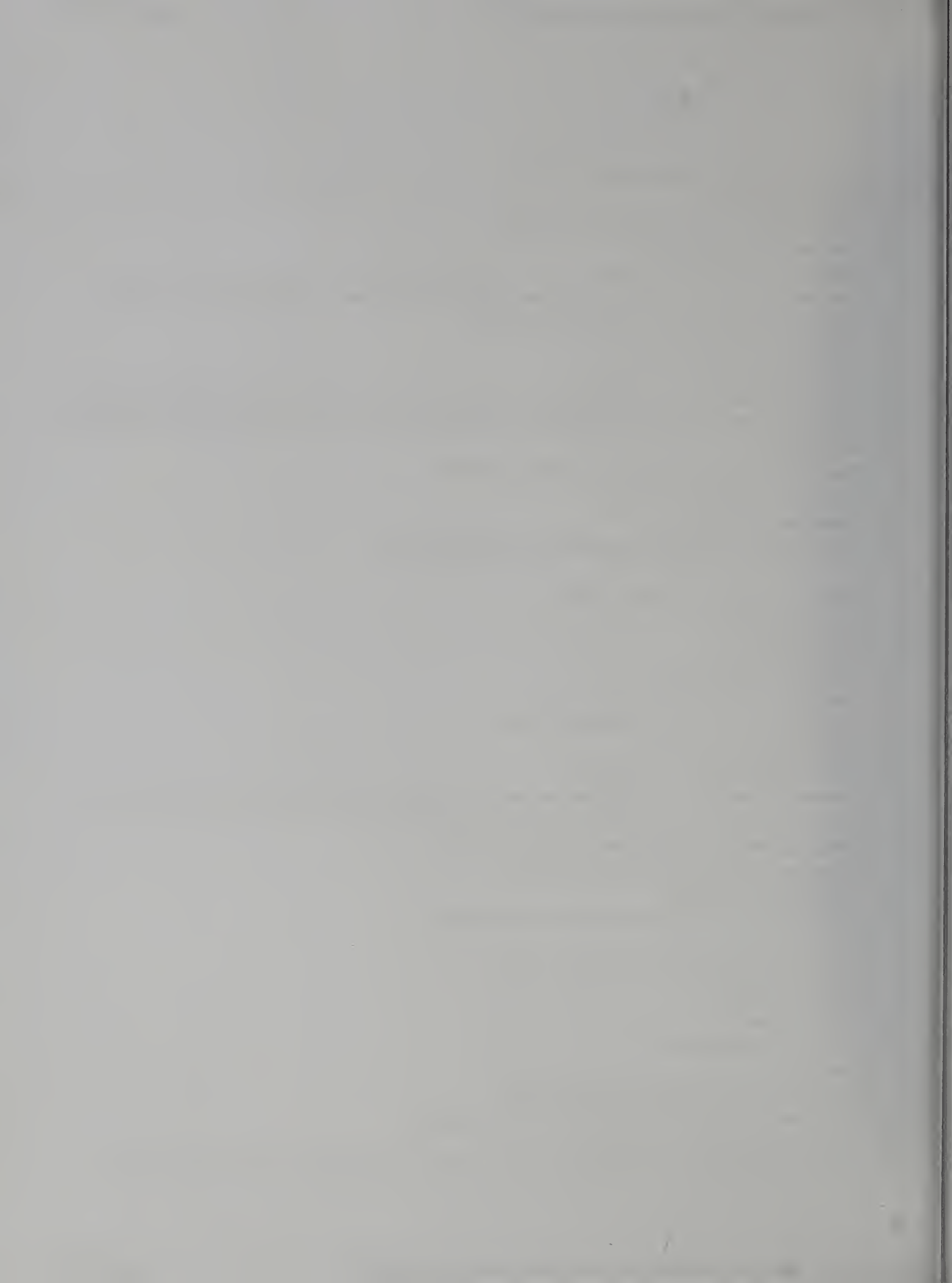
Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 980 as of visit (8 in line to vote at that time)

Touch Screen Vote: 1 as of visit

Provisional Ballots: A lot of provisional ballots. This polling place ran out of provisional ballot



envelopes and had to send some voters (I observed two) to another polling place. One was a voter from Monterey voting in San Francisco, and one was a SF resident who did not have his vote by mail ballot to surrender and had to be sent to 3005 polling place.

Ballot Availability: Other than lack of provisional ballot envelopes, no other problem reported as of my visit.

Supplies: Adequate as of visit

Conditions: Acceptable, similar to a residence garage (cold and windy)

Observations, Comments and Recommendations: Not sure the workers were in adequate contact with their FED.

3011 Omega Boys Club, 1060 Tennessee Street, 4:45 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 6

Staffing: 2 adults and 4 students

Equipment: No problems reported as of visit

OSE Count: 1288 as of visit

Touch Screen Vote: 10 as of visit

Provisional Ballots: A lot of provisional ballots, mostly for individuals who were not on the voting list but said they had registered to vote in this precinct.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent

Observations, Comments and Recommendations: Inspector doing a good job of handling the large number of provisional ballots.

3007 Muni Barn, 700 Pennsylvania Ave, 5:00 pm

Opened: On time

Lines at Open: 15

Number Voting Booths: 7

Staffing: 5

Equipment: No problems reported as of visit

OSE Count: 1198 as of visit

Touch Screen Vote: 5 as of visit

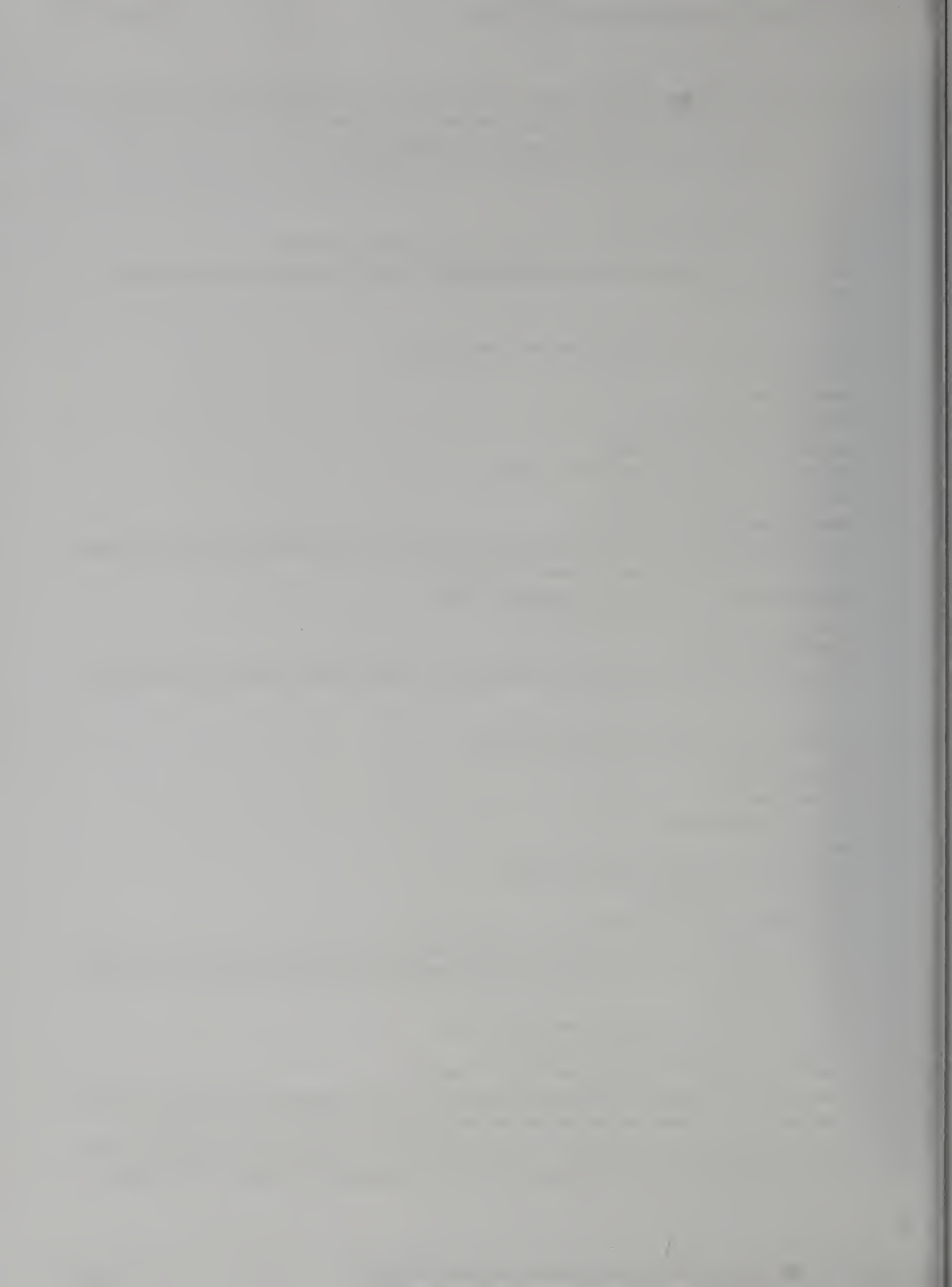
Provisional Ballots: Not a large amount, mostly vote by mail voters who did not have their mail in ballot to surrender, or individuals who said they had registered through CA DMV but did not appear on the SF voter lists.

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent, but a long walk in from sidewalk.

Observations, Comments and Recommendations: Inspector suggested that the SF Department of Elections phone number be put back on the voter registration form in the section that the registrant keeps, which is where it used to be. Now the phone number is only on the section of the form that is mailed/returned to the Department, thus this Inspector had to hand write the phone



number on all forms that she used.

Also, it is the Inspector's opinion, based on her numerous experiences as an inspector that the DMV voter registration does not work and should be modified or improved. This Inspector also stated that there needs to be more and better training regarding the seals used on the voting equipment and other items to better inform the poll workers of what and how to use these seals. There was also raised the question of where to measure the 100 feet from the polling place in which electioneering may not take place. Is it from the front door of the voting area, from the voting roster, from the front of the particular facility or some other position? This is important for polling places such as this Muni Barn, schools, churches etc. where the actual polling place is located in an inside room. Should electioneering be allowed inside the facility if it is 100 feet from the particular room being used for voting (i.e. down the hall)? I believe it should be measured 100 feet from the front door of the facility (i.e. along the sidewalk) to avoid voter problems inside, even if the hall is 100 feet from the voting room (i.e. classroom etc.). But this point needs to be cleared up (this Inspector got multiple answers from the DoE) and included in the Poll Worker's Manual as well as the pre-election poll worker training.

3010 The Futon Shop, 2150 Cesar Chavez Street, 6:00

Opened: On time

Lines at Open: 15, 150 voters in first hour

Number Voting Booths: 5

Staffing: 2 adults and 3 students

Equipment: One OSE jamb at 9:30 am caused by a ballot not dropping because the voter receipt had not been removed. Other than that, no problems reported as of visit

OSE Count: 703 as of visit

Touch Screen Vote: 0 as of visit

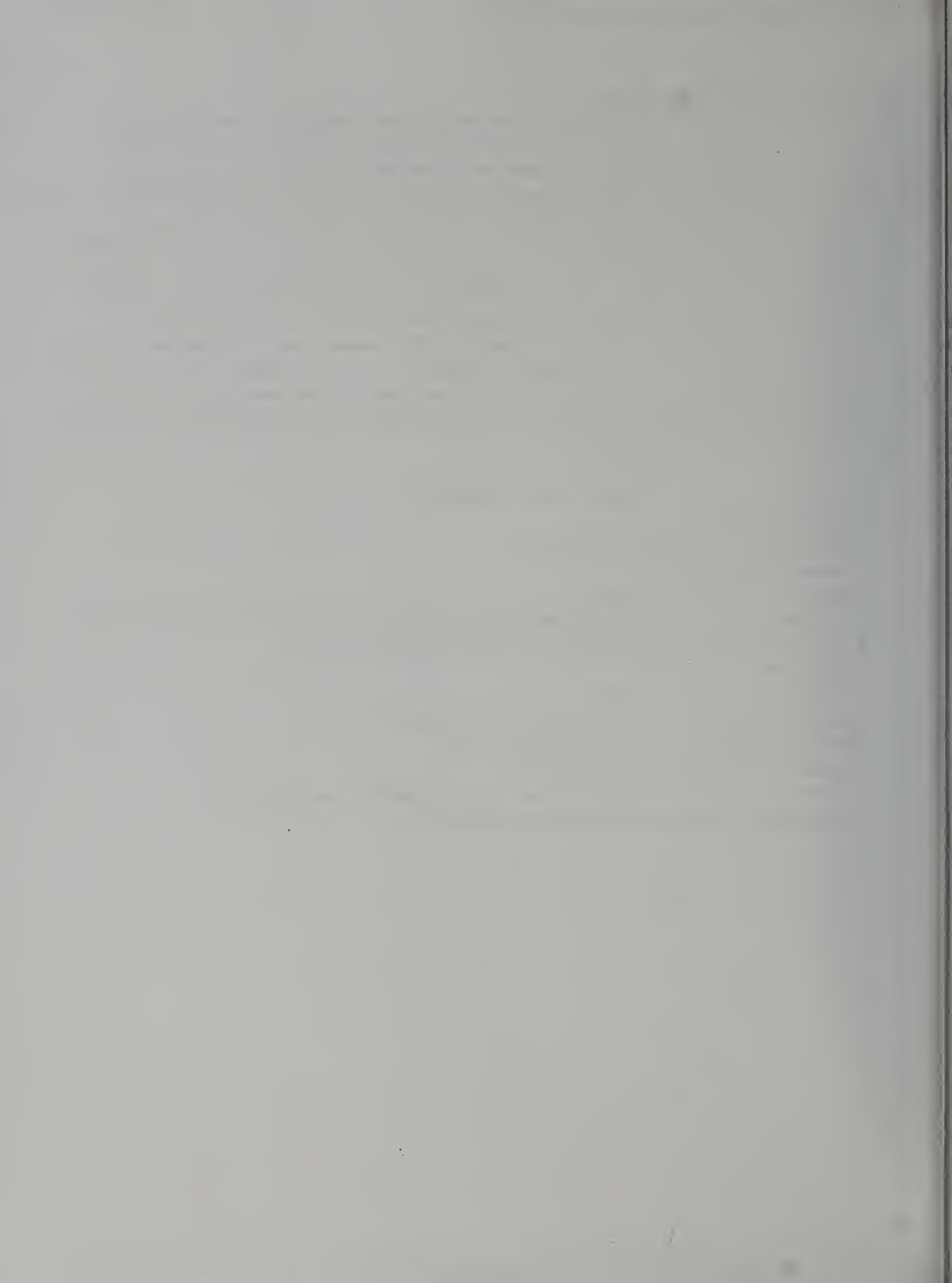
Provisional Ballots: Not many (no number reported) as of visit

Ballot Availability: No problems reported as of visit

Supplies: No problems reported as of visit

Conditions: Excellent (very good cooperation and support from business owner)

Observations, Comments and Recommendations: None



Elections Commission

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December 17, 2008

Elections Commission Meeting

Wednesday, December 17, 2008

At 6:00 pm

City Hall Room 408

Order of Business

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1. Call to Order & Roll Call
2. Announcements
3. Public comment on any issue within the Elections Commission's general jurisdiction
4. Director's Report
 - Update of the November 4, 2008 Consolidated Presidential Election
 - Update on status of Department of Elections post-election
5. Commissioners' Reports
 - Meetings with public officials
 - Oversight and Observation activities
 - Long-range planning for Commission activities and areas of study
 - a. Discussion and possible action regarding final Commission observations, research or investigations needed for evaluation of the November 4, 2008 Consolidated Presidential Election. From the November 19, 2008 meeting regarding observations and evaluation of the Election Plan.

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Page 1 of 1

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6. Old Business

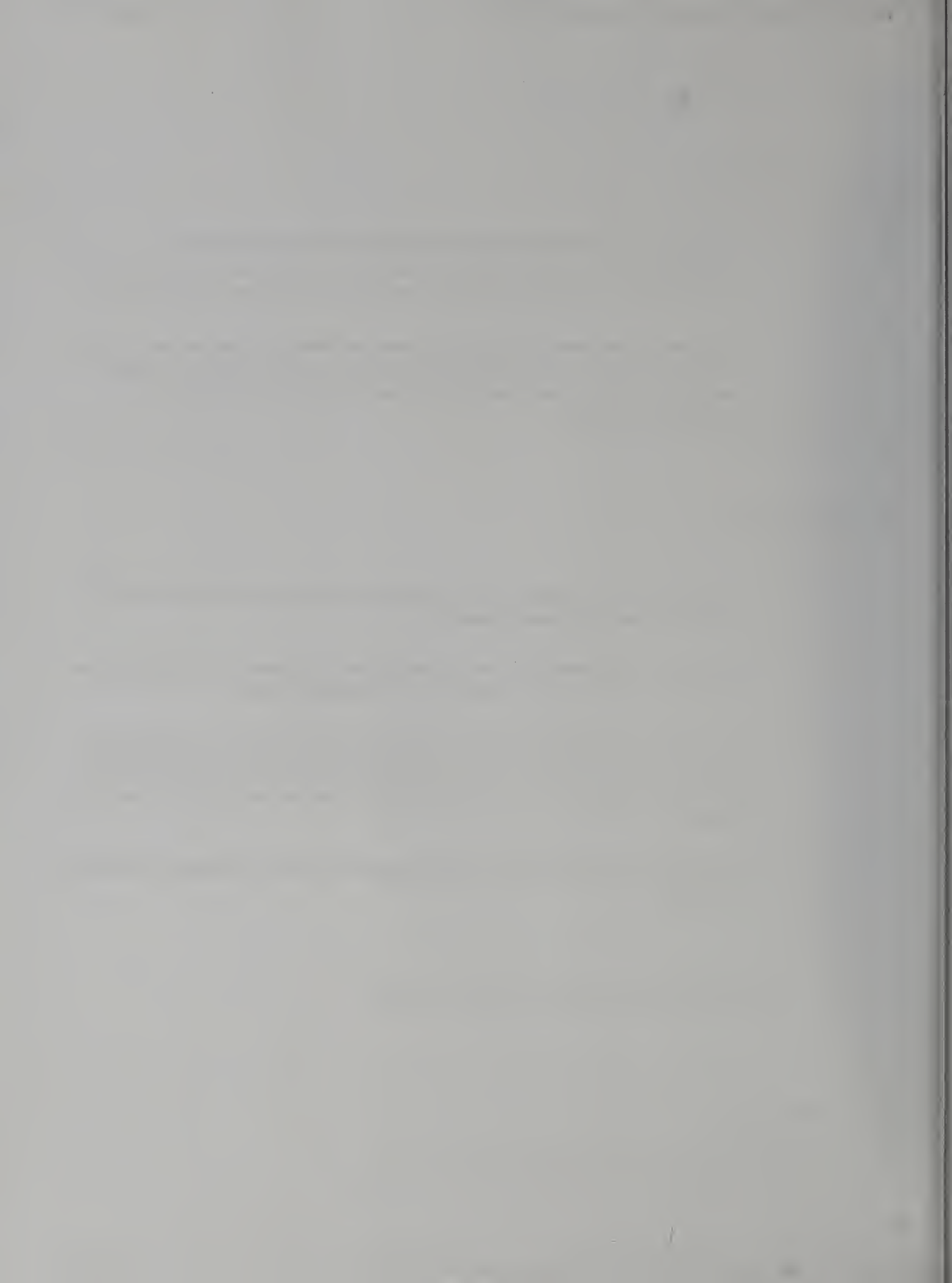
- a. **Discussion and possible action regarding the Board of Supervisors establishment of a Voting Systems Task Force.** Report back by Commissioners on discussions with the Board of Supervisors and staff regarding the Task Force.
- b. **Discussion and possible action to propose a prohibition against voters' use of electronic devices at polling places; including possible action to propose changes to state or local law or practices.** Report back from Deputy City Attorney on this topic.

7. New Business

- a. **Discussion and possible action to approve the Minutes of the November 19, 2008 Elections Commission Meeting.**
- b. **Discussion and possible action regarding final evaluation of the Election Plan for the November 4, 2008 Consolidated Presidential Election.**
- c. **Discussion and possible action to authorize a Commissioner to speak with members of the Civil Grand Jury regarding the responses to the 2007-08 Civil Grand Jury Report, "A Year of Five Elections", and any earlier Civil Grand Jury Reports.**
- d. **Discussion and possible action regarding the Elections Commission Secretary position.**

8. Discussion regarding items for future agendas**Adjournment**

Complete meeting packet for December 17, 2008



Disability Access

The Elections Commission meeting will be held in Room 408, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The Commission meeting room is wheelchair accessible. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI lines serving this location are #42 Downtown Loop, and #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro Stations Van Ness and Market and at Civic Center. For information about MUNI accessible services call (415) 923-6141. There is accessible curbside parking adjacent to City Hall on Grove Street and Van Ness Avenue and in the lot of the Veterans Building at 401 Van Ness Avenue adjacent to Davies Hall and the War Memorial Complex.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative format of the agenda and minutes, please contact The Elections Office at (415) 554- 4375 or our TDD at (415) 554-4388 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may also be sensitive to various chemical based products. Please help the City accommodate these individuals. Individuals with multiple chemical sensitivity or related disabilities should call our accessibility hotline at (415) 554-6060.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, board of supervisors, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE SUNSHINE ORDINANCE TASK FORCE, DONNA HALL, CLERK, CITY HALL, ROOM 409, 1 DR. CARLTON B. GOODLETT PLACE, SAN FRANCISCO, CA 94102-4009. PHONE NO.: (415) 554-7724; FAX NO.: (415) 554-7854; E-MAIL: DONNA_HALL@CI.SF.CA.US. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library, and on the City's website at www.ci.sf.ca.us.

Materials contained in the Commission packets for meetings is available for inspection at the Elections Department, City Hall Room 48, in the Commission's Public Binder, no later than 72 hours prior to meetings.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited during a meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activities. For more information about the Lobbyist Ordinance, please contact the Ethics Commission.

at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2317; fax (415) 581-2317; web site at www.sfgov.org/ethics.



Commission Gleason's Report on Election Evaluation Precinct Openings, Election Day Ballot Transfers and Provisional Ballots

IRIS Report

Review of the Incident Reporting Information System (IRIS) Report can be a useful gauge for the Commission in reviewing Election Day issues and response, however it must be noted that the IRIS Report is a printout of real-time communications involving many urgent and stressful operational situations. It should be acknowledged that misunderstanding of actual events can and do make their way into the IRIS report. The Election Day log for the precinct I was at (2112) on 11/04/08 contains information and omissions of actual situations I was involved with and know about. This is not meant to be a criticism of the Department, but rather a cautionary point regarding use of the IRIS Report for evaluation of the election.

The IRIS Report does give a clear indication of how responsive the Department of Elections is to precinct operation incidents and Election Day concerns of the voting public. Noted throughout the IRIS Report from 11/04/08 are situations where the Department of Elections staff provided exceptional service to both pollworkers at the precincts and the voting public.

In the IRIS Report for Precinct 2112, the 5:55AM call to the Elections Command Center resulted in a table being delivered to the precinct by 6:10AM. The IRIS Report continues with chatter regarding the issue for a time after the situation was resolved, however that is an indication of how well the Department was responsive and concerned with providing support.

Precinct Opening

I reviewed the IRIS Report and there were relatively few incidents of precincts not opening on time. Several calls prior to 7:00AM reported lockouts at precincts, most of which were resolved by themselves or with assistance of the Elections Command Center within minutes of the first phone call. Considering some 540 precincts, there were few calls regarding late precinct openings. However it may be hard to gauge if all precincts were operational at 7:00AM and ready to serve voters. One precinct did have a notation that the precinct opened at 7:20AM (pollworkers had called Election Command at 6:16AM from the precinct [3032], so they were present early enough to have the precinct open at 7:00AM), and another noted that a voter complained the Insight machine was not operational at 7:15AM [3016] (a precinct which did report a lockout).

Most pollworkers at a precinct that is behind schedule in opening may not pause to call the Elections Command Center to report that fact. The area Field Election Deputy (FED) may be able to make note of the situation if the FED encounters it. A better method of tracking precinct openings after Election Day would be to obtain the time-stamped report of when Insight machines become operational. The Insight machines also report time of first ballot received. It would seem logical that Sequoia could generate the time reports since the time appears on the tape printout and must be part of some audit log.

In past elections, egregiously late opening precinct have been widely reported in the media, so considering the recent high-profile election, the lack of such media reports is a very good indication of few problems with precinct openings.

Mid-Day Ballot Transfers

Overall this task seemed to be handled well in reviewing the IRIS Reports. Some precincts made panic calls requesting a ballot transfer by mid-morning. Pollworkers were instructed to be aware of the Insight LED counter approaching 800-1000. My own precinct [2112] experienced ballot jams at 670 on the LED. Similar ballot jams in the range of LEDs at 700-800 are noted in the IRIS Report. A few of these situations required the precinct inspector to break protocol for the ballot transfer (protocol called for the precinct inspector to be assisted by the FED) in order to keep the Insight operational. Some of these situations must have involved precinct inspectors opening the ballot storage area of the Insight to rearrange the ballots (as happened at my precinct [2112]) or to actually remove ballots to allow more ballots to be accepted.

A few situations resulted in questions or complaints from the voting public:

Precinct 3859 - a voter called SFPD regarding the ballot transfer

Precinct 3332 - a voter complained the Insight would not accept his ballot

Precinct 3331 - a voter complained to the office of the Board of Supervisors regarding ballot jams.

A major concern is that the Sequoia Insight equipment as currently exists, is inadequate to handle ballot capacity for any future General Election in San Francisco -- which in all likelihood will require four ballot cards in many precincts. And not just a high turnout election such as the recent one. Every 2 years, a four card election with a turnout of 250 voters will bring many of the Insight machines past capacity. Unless the City & County of San Francisco and the California Secretary of State are comfortable with mid-day opening of ballot boxes as standard operating procedure, it may be prudent to seek an equipment modification by the vendor.

Provisional Ballots

Spreadsheets attached to this report indicate that the November 4, 2008 Presidential Election generated about the same number of provisional ballots as the February 5, 2008 Presidential Primary, however the overall turnout for the November 4 Election was greater, therefore the percentage of Provisional ballots generated was lower.

November 4, 2008	81% turnout	7.5% of Precinct ballots were Provisional
February 5, 2008	65% turnout	9.5% of Precinct ballots were Provisional

Considering the likelihood that there were an increased number of first-time and infrequent voters this election, the lower percentage of Provisional ballots is remarkable. Much of this may be due to voter registration awareness as well as efforts by DOE and pollworkers to redirect voters to their assigned precinct.

The IRSI Report noted 17 incidents where provisional ballots were inserted in the Insight tabulation machines at precincts which is a major error in precinct operations. It is likely there were other such incidents which were not reported or noticed.

The Provisional Ballot Report from DOE indicates that there were 186 Provisional Ballots which were not counted due to missing voter signature or address on the Provisional Ballot Envelope, which may be considered pollworker error in part. However, DOE made great efforts to make pollworkers and voters aware of this issue, with increased training and precinct signage. In February 2008, there were 495 such uncounted ballots. While having even one such uncounted ballot is a great tragedy and should not occur, DOE should be recognized for the great improvement made in reducing the number of errors occurring when voters fill out Provisional Ballot Envelopes.

1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is divided into two main sections: the first section deals with the general situation of the country and the progress of the work during the year, and the second section deals with the specific results of the work.

2. The second part of the report deals with the specific results of the work. It is divided into three main sections: the first section deals with the results of the work in the field of agriculture, the second section deals with the results of the work in the field of industry, and the third section deals with the results of the work in the field of commerce.

3. The third part of the report deals with the financial results of the work. It is divided into two main sections: the first section deals with the income of the work, and the second section deals with the expenditure of the work.

4. The fourth part of the report deals with the conclusions of the work. It is divided into two main sections: the first section deals with the conclusions of the work in the field of agriculture, and the second section deals with the conclusions of the work in the field of industry and commerce.

5. The fifth part of the report deals with the recommendations of the work. It is divided into two main sections: the first section deals with the recommendations of the work in the field of agriculture, and the second section deals with the recommendations of the work in the field of industry and commerce.

6. The sixth part of the report deals with the appendix. It is divided into two main sections: the first section deals with the appendix in the field of agriculture, and the second section deals with the appendix in the field of industry and commerce.

7. The seventh part of the report deals with the index. It is divided into two main sections: the first section deals with the index in the field of agriculture, and the second section deals with the index in the field of industry and commerce.

8. The eighth part of the report deals with the bibliography. It is divided into two main sections: the first section deals with the bibliography in the field of agriculture, and the second section deals with the bibliography in the field of industry and commerce.

9. The ninth part of the report deals with the list of figures. It is divided into two main sections: the first section deals with the list of figures in the field of agriculture, and the second section deals with the list of figures in the field of industry and commerce.

10. The tenth part of the report deals with the list of tables. It is divided into two main sections: the first section deals with the list of tables in the field of agriculture, and the second section deals with the list of tables in the field of industry and commerce.

From review of the Provisional Ballot Report, it appears there is a correlation with precincts which generate greater overall numbers of Provisional ballots and increased numbers of errors with Provisional Ballot Envelopes.

Precinct 3036	78 Provisional	7 Envelope Errors
Precinct 3014	74 Provisional	6 Envelope Errors
Precinct 3641	85 Provisional	5 Envelope Errors
Precinct 3614	59 Provisional	5 Envelope Errors

Two precincts generated Provisional ballot numbers that were off the charts. Both were precincts that are wholly within the boundaries of university campuses in San Francisco (University of San Francisco [USF] and San Francisco State University). This might be expected with a highly transient population. But the number of Provisional ballots cast, and more importantly, the high percentage of Provisional ballots cast but determined to be invalid was very high (note at USF 80% of Provisional ballots cast were found to be not valid). For residents at institutions of higher learning, the ignorance regarding voter registration requirements is shameful compared to the general voting public.

Precinct 2151 [USF]	165 Provisional	131 Invalid	79.4%
Precinct 2745 [SFSU]	342 Provisional	188 Invalid	54.9%

As in the February 2008 Primary Election, about 25% of all Provisional ballots in November were found to be invalid and were not counted. The vast majority of these voters are simply not found to be registered to vote when checked against the DOE's registration database.

Provisional Ballots remain a safeguard to protect a voter's right to vote. In some cases pollworkers resort to issuing Provisional ballots as the all-purpose cure for any possible situation where a person is not found on the precinct roster, avoiding assistance with redirecting to a neighboring precinct or other possible remedy. In many cases this may be the proper choice so that a voter does not choose to pass up voting.

The public's understanding of what a Provisional ballot is may be something which needs to be addressed in the future. Right now, there is little information available to the public regarding Provisional ballots other than the right to be able to cast a Provisional ballot. Information regarding how Provisional ballots are determined to be valid and counted, regarding partial counting of ballots, ballots subject to remake process, ability to seek court order to insure the ballot is counted...much of this information is not provided to voters. Not in the Voter Information Pamphlet, Voter Information Kiosks in precincts, and once again I point out that voters are informed they can check status of the provisional ballot 41 days after the election -- which is past the 29-day certification of the election..

Misunderstanding of Provisional ballots by pollworkers could be reduced by better understanding of what a Provisional ballot is. This usually comes with the experience of serving for several elections. To that end, while the student pollworker program has been tremendously successful, we need to be sure the two most important tasks at precincts, the rosters and operation of the Insight machine, are handled by adults. Too many precincts this recent election were staffed with 60% of the crew being high school students. That may be why Provisional ballots are ending up in the Insight machines. Usually the Insight machine is not right next to the precinct roster table -- it is across the room and the precinct inspector is then required to determine where to devote vigilance.

Summary

Errors reported and public complaints appear to be very minimal this election. This indicates another high-quality election conducted by the San Francisco Department of Elections.

THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

1950-1951

PHILOSOPHY 101

PHILOSOPHY 102

PHILOSOPHY 103

PHILOSOPHY 104

PHILOSOPHY 105

PHILOSOPHY 106

PHILOSOPHY 107

PHILOSOPHY 108

PHILOSOPHY 109

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Provisional Ballots Report

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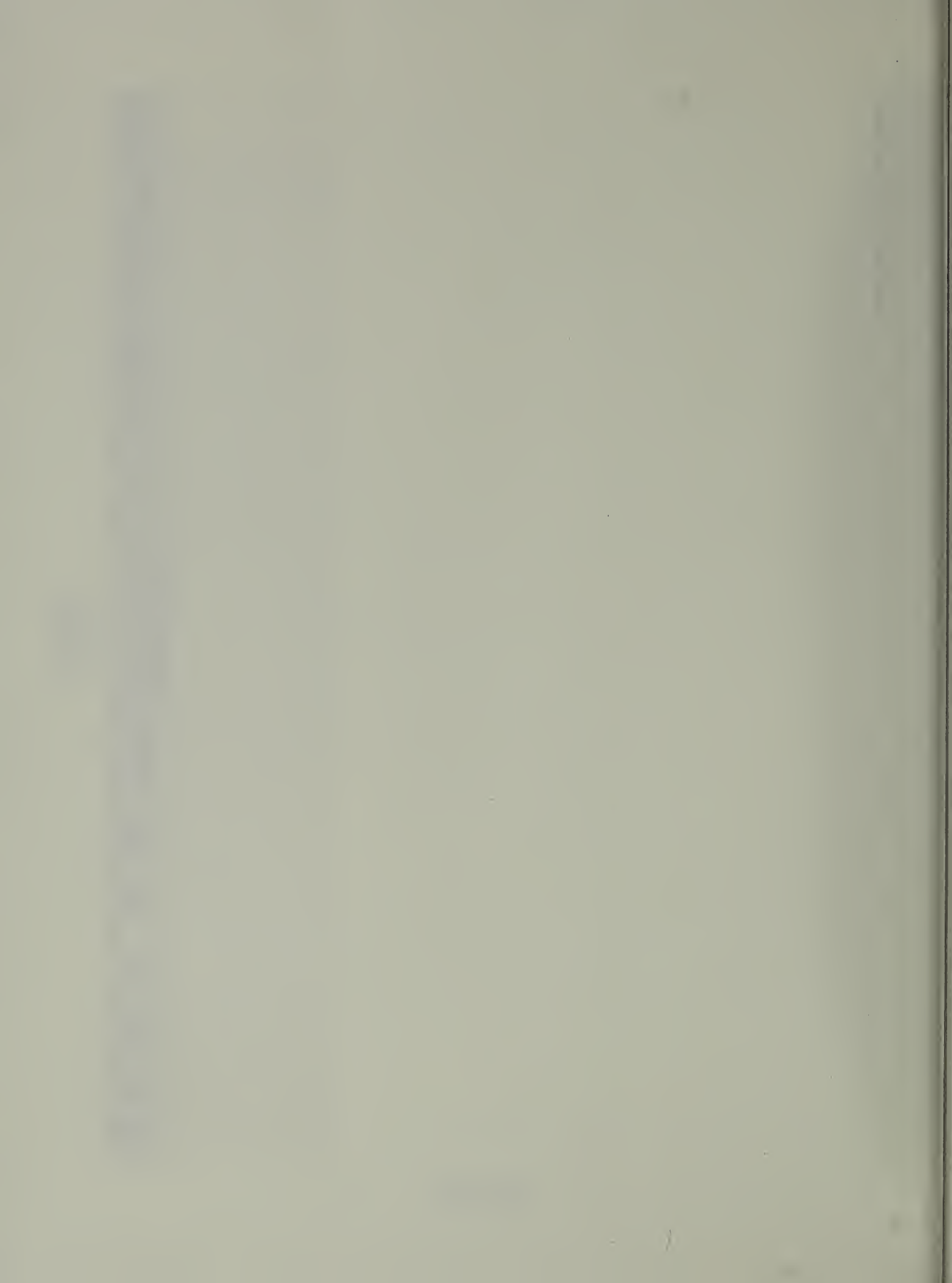
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Provisional Ballots
February 2008
November 2008

Election	Reg	Turnout	Turnout	Precinct	Precinct	VBM	VBM	PV	must PV	PV Valid	PV Valid	Not count	Not count	PV error	PV error	Not Reg	Not Reg
4-Nov-08	477,651	388,112	81.25%	209,527	53.99%	178,585	46.01%	17,110	7.54%	12,773	74.65%	4,337	25.35%	186	1.09%	3,435	20.07%
5-Feb-08	415,961	269,212	64.75%	158,995	59.06%	110,217	40.94%	16,866	9.45%	12,174	72.18%	4,692	27.79%	495	2.53%	3,169	16.21%
adjusted for political party ballots																	

7.b.5



November 4, 2008

Registered Voters in SF: 477,651

Total Turnout: 388,112 = 81.25%

Vote by Mail Turnout: 178,585 = 46.01% of turnout

Precinct Vote: 209,527 = 53.99% of turnout

Provisional Ballots cast at Precincts: 17,110

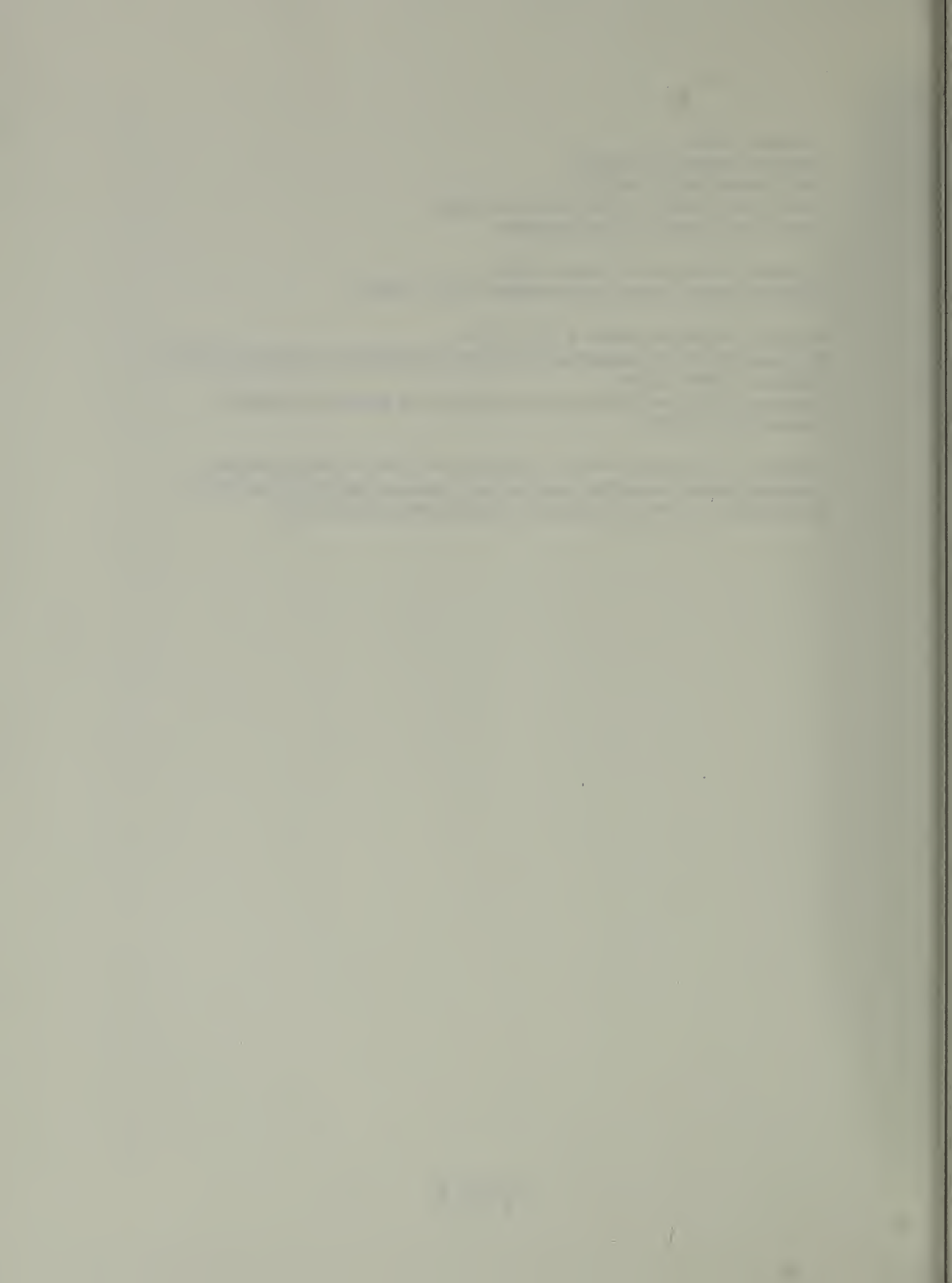
Provisional Ballots counted in part or whole: 12,773 = 74.65%

Provisional Ballots not counted: 4,337 = 25.35%

Provisional Ballots not counted due voter not being registered (or not appearing in DOE database): 3,435 = 20.07%

Provisional Ballots not counted due to no signature or no address on provisional envelope: 186 = 1.09%

Percentage of voters who showed up at precincts to vote who are required to vote provisional ballots because they are at the wrong precinct or their name is not on the precinct roster: = 7.54% (of all voters who walked into precincts to vote.)

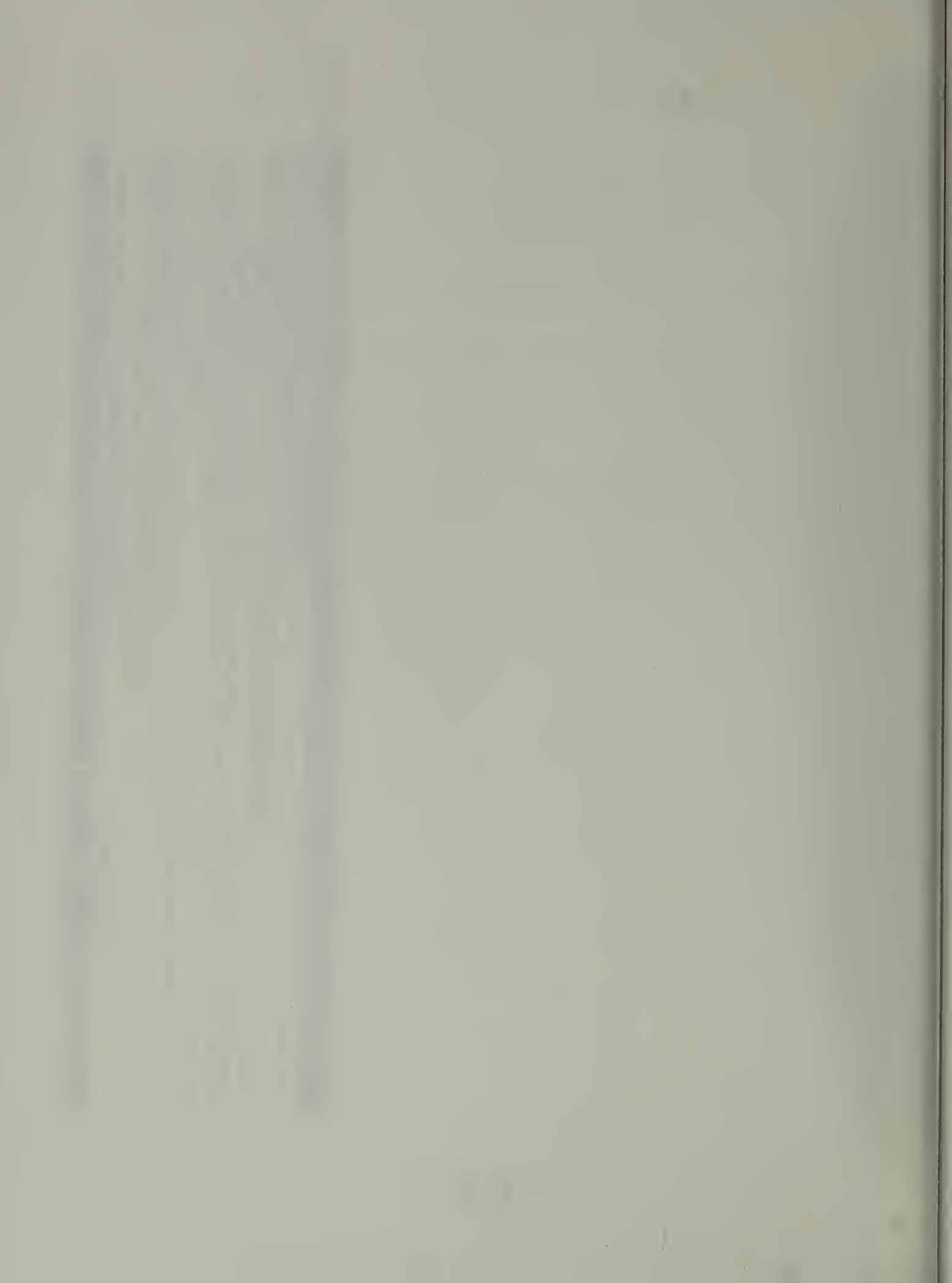


PCT 2112

PCT 2113

Init. Call Time	Problem Comments	Time Resolved	Resolution Comment
5:55:50 AM	Need Table, Chairs, Booths: Election table needed, Inspector is using Edge table for now.	7:17:27 AM	Table delivered
6:01:52 AM	District Driver Contacted: School supplied table in the past - DL contacted to deliver table		
6:28:36 AM	< Other: See Comments >: Jenn, can the DL just set it up on legs? Frances		
7:17:26 AM	< Other: See Comments >:	9:19:52 AM	
8:41:11 AM	Insight Ballots: Send FED with Ballots.		
8:58:05 AM	FED Contacted: FED will drop off ballots. ETA 5 minutes.		
10:08:32 AM	Insight Ballot Jam: Inspector called and insight is jammed. Needs FED for transfer of ballots-please send.	11:51:57 AM	ballot box was full and will is being emptied
10:16:59 AM	FED Contacted: advsd FED of jam, since insp is a veteran pw, likely needs tech. Fed will check it out, ETA 30 min		
11:31:14 AM	Technician Contacted: dispatched tech Martin Sweetser ETA 15 mins		
11:51:21 AM	Technician Contacted: ballot box was full and will is being emptied		
Init. Call Time	Problem Comments	Time Resolved	Resolution Comment

7.6.7



[Forward by Commissioner Gleason]

From former Commissioner Jennifer Meek
Sent: November 4, 2008

An Experience Updating Voter Registration in California Using DMV

I moved from San Francisco to Oakland at the end of July 2008. When I changed my address with the DMV online, I selected to update my voter registration as well. One month later, at the end of August, I checked my registration on Alameda County's website and found that I was not yet registered in Alameda County. Concerned that the DMV registration update had not occurred, I obtained a voter registration card from an AC Transit bus (by the way, good idea), filled it out, and sent it in (it was addressed to the SoS). Within 3-4 weeks I received confirmation from Alameda County that my voter registration had been updated. About 1 week after I received the confirmation of registration (2 months after I requested to re-register with the DMV), I received a voter registration card as a result of selecting to update my registration through the DMV.

The problems with updating registration and/or registering as a voter through the DMV:

1. The DMV does not inform people that they have to take additional actions to register. I assumed that when I registered with the DMV that they would update the information to my registration for me. In actuality, all that happens is that you receive a new voter registration card (completed with your updated information) for you to return to sign and return to the SoS. If it was clear in the instructions on the form the DMV provided that this is the process, then voters would know to expect a new registration card in the mail.
2. The process of either registering and/or updating registration information through the DMV takes at minimum, double the time than it does to just send your registration card into the SoS. This could be very problematic for people who move 1-2 months before an election and assume that updating registration through the DMV will happen smoothly.

Another thing to note... When I registered by filling out a form and sending it through the SoS, my request was completed in a very timely manner.

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Elections Commission

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December 17, 2008

City and County of San Francisco
Elections Commission

Approved:

Minutes of the Meeting held
City Hall, Room 408
December 17, 2008

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1. President Gleason called the meeting to order at 6:08 pm.
2. **COMMISSION MEMBERS PRESENT:** Commissioners, Gerard Gleason, Richard P. Matthews, Winnie Yu (arrived at 6:12 pm), Rosabella Safont, Arnold Townsend, Joseph B. Phair, Deputy City Attorney Mollie Lee and Director John Arntz. **EXCUSED:** Commissioner Malcolm Yeung.
3. **Public comment on any issue within the Elections Commission's general jurisdiction.** *Brent Turner* said that Johnson County, Kansas has joined the open voting consortium and that members had made a public statement regarding open source code election systems. *Paul Currier* said that he was present to speak on the item regarding the possible prohibition of electronic devices at polling places. Mr. Currier encouraged the Commission to not prohibit free communications with electronic devices.
4. **Director's Report.** Director Arntz reported the following: December 2, 2008 the November 4, 2008 Consolidated Presidential Election was officially certified; December 9, 2008 the Board of Supervisors declared the results of the Certification; December 15, 2008 the results were hand-delivered to Sacramento; since November 4, the DoE (Department of Elections) has conducted two more elections: The Tourism Improvement Election (Tuesday, December 16, 2008), The Treasure Island Yerba Buena Citizen's Advisory Board Election (December 16 and 17, 2008) and a Retirement Board Election is due in January 2009; and comment forms from pollworkers and FEDS (Field Election Deputies) are being reviewed. Last week there was the annual meeting of registrars in Sacramento at which there was discussion of a possible special meeting on the budget sometime in 2009. The DoE is working on a HAVA (Help America Vote Act) grant proposal through the SoS's (Secretary of State) office and an Elections Assistance Commission Survey on registration issues from the November 4, 2008 election. Most of the DoE's temporary staff has been released from employment and it is very likely that the remainder will be gone by this Friday. The Mayor's Office has asked all City

Departments to prepare for a 12.5% budget decrease for the next fiscal year budget and to have an additional 12.5% cut contingency plan should more be needed. DoE voting equipment is being inventoried and prepared for storage.

Commissioner Matthews said many IRIS reports demonstrated that pollworkers didn't have an understanding of how provisional ballots should be handled. He asked the Director what the Department does with this kind of information. Director Arntz said that currently the Department is reviewing all the information from the feedback forms and the IRIS report to make improvements in training and procedures for the future.

President Gleason asked the Director how many of the special elections he mentioned in his Director's Report are there annually. Director Arntz replied that he doesn't have an exact number but that the number has been increasing annually because there have been more business district elections. He offered that the number may have been eight in the last year alone. President Gleason asked if these elections were revenue generating and Director Arntz answered that the DoE is reimbursed for the costs and staff time.

Public Comment. *Sylvia Johnson* commented regarding this topic.

5. **Commissioner Reports.** President Gleason reported that he received an email from the Mayor's office requesting that all Commission Presidents attend a special budget meeting at the Mayor's office tomorrow at 3:00 pm. He will report the information back to the Commission.

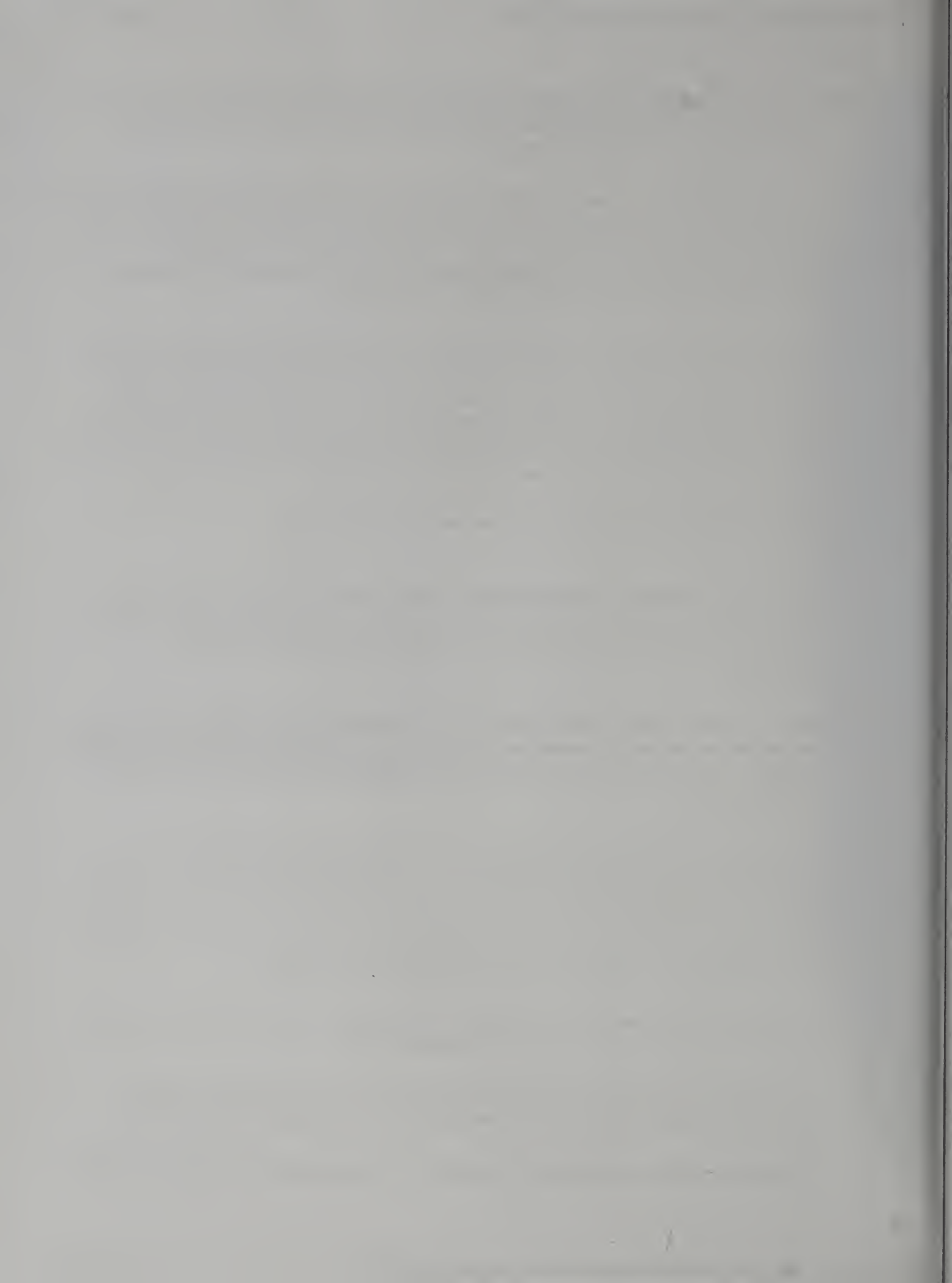
- 5(a) **Discussion and possible action regarding final Commission observations, research or investigations needed for evaluation of the November 4, 2008 Consolidated Presidential Election.** From the November 19, 2008 meeting regarding observations and evaluation of the Election Plan.

Commissioner Matthews shared some of his written report (which is attached to these minutes) that was forwarded to the Commission. He compared the DRE (Direct Recording Device Equipment) voters from the February 5, June 3, and November 4, 2008 elections. In February, the usage rate was 7 voters per 1000; in June it was 72 per 1000; and in November it was 19 per 1000. The Commissioner suggested that the information given to pollworkers during their training should be examined to determine these changes.

Commissioner Townsend said that although the Commission has a policy of preferring paper ballots, voters can and should vote in any manner they wish.

Commissioners Yu and Safont will report their observations of the IRIS report, looking specifically at pollworker issues, at the next Commission meeting on January 21, 2009.

Commissioner Phair reported that his observation of electioneering during November 4, 2009,



and as highlighted in the IRIS report, showed that there were no major systemic problems. Given the number of precincts, the issues on the ballots and the number of people running for office, Commissioner Phair said that in his view, electioneering was handled very well when a problem arose by the FEDs and the police. The Commissioner's report is attached to these minutes.

President Gleason said that precinct openings and lock outs on the IRIS report appeared to be resolved immediately. The item he wanted to draw to the Commission and Director's attention to was that the Sequoia Voting Systems equipment does not handle the multi-page San Francisco ballots well. The vendor needs to modify the equipment to be more accepting of the San Francisco ballot. President Gleason's full provisional ballot report is attached to these minutes. He complimented the pollworker training for lowering the number of rejected provisional ballots for the November election when compared to earlier elections. He said it was obvious that the workers were diligent in checking that the PV envelopes had been signed before accepting them at the precincts. Non-signing of the envelopes cancels the ballot inside. President Gleason urged the colleges to educate the voters on their campuses that they cannot vote provisionally if they are not registered to vote in the city and county of San Francisco. In precinct locations on college campuses in San Francisco, 80 % of the PV ballots were not counted because those voters were not registered to vote.

Public Comment. *Paul Currier* said that he used to work for the DoE as a pollworker and that the State Department of Labor advised him that, as a pollworker, he was a "volunteer" and if that is true, then the Director of Elections should change all the manuals that pollworkers use to reflect that information and to advise that they are not covered by the state labor laws.

Sylvia Johnson made comments during this part of the meeting. *Brent Turner* said that paper ballots are desirable but the current equipment should not have been purchased if voters are to be discouraged from using parts of that voting equipment.

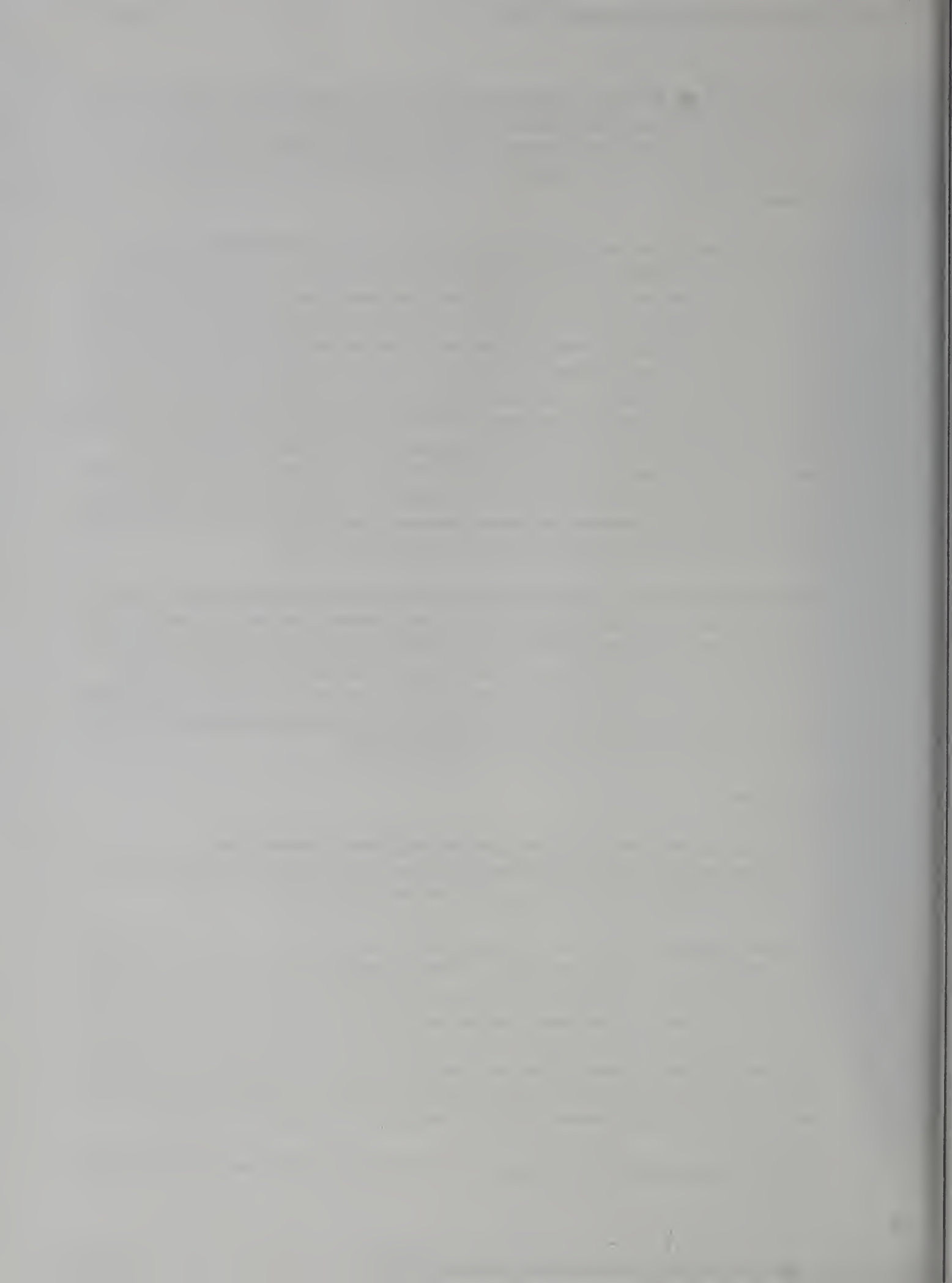
6. Old Business

(a) Discussion and possible action regarding the Board of Supervisors

establishment of a Voting Systems Task Force. Report back by Commissioners on discussions with the Board of Supervisors and staff regarding the Task Force.

President Gleason reported that the Board of Supervisors passed the establishment of their Voting Systems Task Force on November 4, 2006. President Gleason spoke with an aide of Supervisor Ammiano on November 23. He learned that the Commission was included in the task force as an ex-officio non-voting member, and the task force was discussed back in the summer with the Director of Elections. The aide said that the Board thought that speaking to the Director of Elections was sufficient as speaking to the Elections Commission. President Gleason reported that the Board has left the status of whether the Elections Commission will be a voting or non-voting member of the task force up to the Elections Commission.

President Gleason said that the driving force for the task force is that there are members of the



public who want to have input regarding the voting systems chosen by the City of San Francisco and the focus is on "community standards". The DoE is looking at function and cost when it seeks a system. The Board of Supervisors has to approve the purchase of any voting system if it costs over \$10M. President Gleason said that his recommendation is since the Commission does not have a role in the selection of the voting system chosen by the Director of Elections, that the Elections Commission should weigh in on any decision by the Board of Supervisors and the Mayor's office regarding the selection of voting equipment.

Commissioner Townsend said that the Elections Commission should maintain its independence and have nothing to do with the Board's task force. The members of the Elections Commission are not controlled by their appointing authorities, and this was the purpose of establishing the Commission. He said that the Board is trying to control the Elections Commission with this task force, in his opinion. Commissioner Townsend said that "the worse thing that we can have in this City is an activist body dealing with elections".

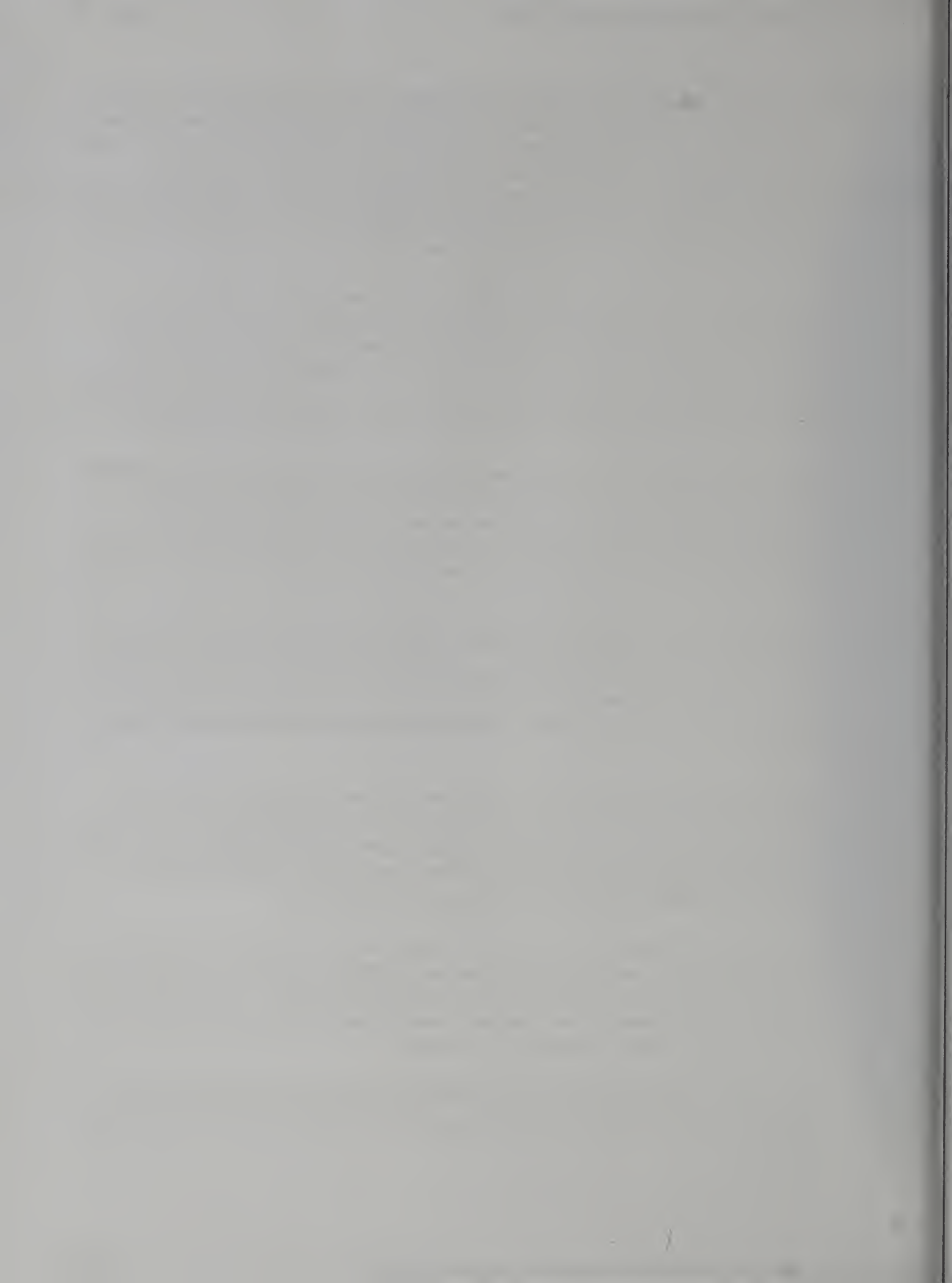
Commissioner Matthews said that he has heard rumors from members of the public that the Elections Commission was trying to "scuttle" the Board's Voting Systems Task Force. The Commissioner said that this was, of course, absurd, and that he agrees with much of Commissioner Townsend's comments. Commissioner Matthews reminded the Commission that it adopted a policy last summer that the next voting equipment purchased will not be DRE.

Commissioner Phair said that he agrees with Commissioners Townsend and Matthews, and that the Board, without notice to, consultation or involvement with the Elections Commission (which was established by the voters) has decided to go off on its own and develop data and information which it will use for some purpose in the future. That purpose is unknown at present. The Board, which is elected, should not be involved in programs used for election equipment.

Commissioner Matthews said that if the Board was advised by advocates of the Voting Systems Task Force that the Elections Commission had been told about their concerns and had not properly acted on those concerns, it should have raised the question, "well, why not", and the Board should have asked the Commission that question. The Board could then determine whether the Commission's reasons were sensible or not.

Commissioner Townsend said that he has no problem with the advocates from the public letting their voices be heard because they are well intentioned. However, what politicians want is to be elected and to be returned to office as frequently as possible. The Commissioner said that this is why the citizens of San Francisco created a body that could not be influenced by politicians. They created the Elections Commission.

Commissioner Safont said that she was upset that the Elections Commission had not be contacted regarding the task force and she agrees with Commissioners Phair, Townsend and Matthews.



Commissioner Yu said it was not in the best interest of the Commission to have a voting position on the Board's new task force.

Commissioner Phair MOVED and *Commissioner Townsend* SECONDED that the Elections Commission decline to participate in the Board of Supervisors Voting Systems Task Force.

Public Comment. *Sylvia Johnson* commented on this subject. *Brent Turner* said that the Elections Commission should celebrate the fact that members of the public want to participate by participating in the Voting Systems Task Force. *Tim Meyer* said that he's been interested and involved in voting equipment software for twenty years, and his opinion is that the proposed task force's narrow scope is different from that of the Elections Commission.

The roll call vote was UNANIMOUS to accept the MOTION.

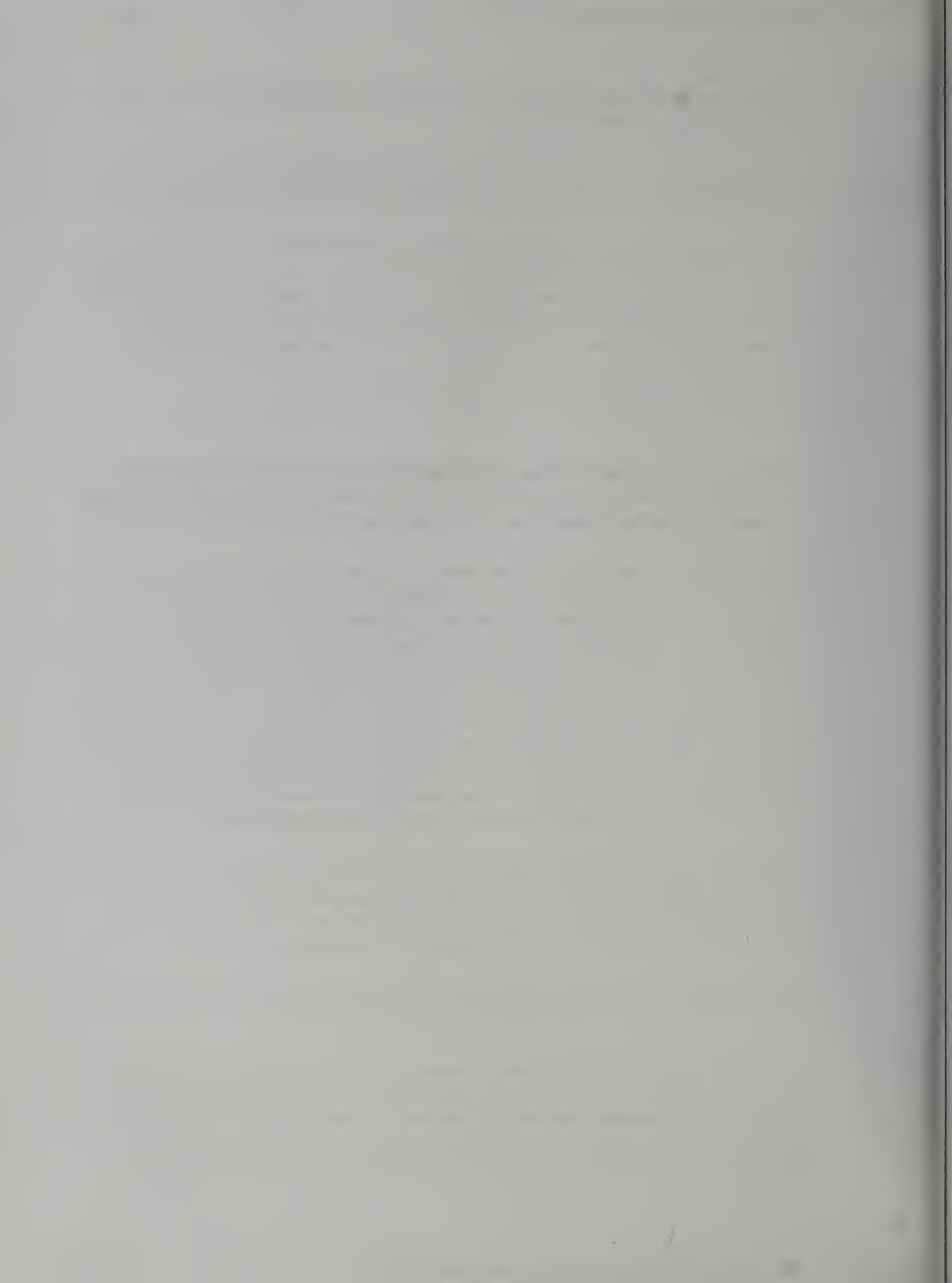
- (b) **Discussion and possible action to propose a prohibition against voters' use of electronic devices at polling places; including possible action to propose changes to state or local law or practices.** Report back from Deputy City Attorney on this topic.

Deputy City Attorney Lee reported on her research into whether there is anything in state law that would pre-empt or limit the Elections Commission's ability to establish local policies or request that the Board of Supervisors enact local legislation regarding the use of cell phones in polling places. The Deputy City Attorney said there is state law regulating conduct of affairs at polling places on election day, however there is nothing specific to the use of cell phones. There is information that, in an election observer report of 2006, the SoS noted that there was increasing usage of cell phones at voting sites, and there might be cause to look further into the issue on a statewide level. However, there has been no action as far as the Deputy City Attorney has observed. The City and County could act to prohibit destructive use of cell phones at polling sites, and adopting a Commission policy regarding this could be the first step. This would offer a chance to look at the policy's implementation before going further.

Commissioner Matthews gave an example of a case he witnessed in which a voter was on the phone asking the other party how to vote on each message as the voter called them out. *Commissioner Matthew* recalled reading a communication from the SoS that this activity constituted electioneering (on the part of the person on the other end of the call).

President Gleason said that in some countries voters take pictures of their completed ballot with their cell phone to prove how they voted to their employer or union.

Commissioner Townsend said that none of these activities are the business of the Elections Commission until there is a complainant. He said he could foresee a voter calling from a polling sight telling someone that the line is long and they will be late for childcare pick up, and therefore it would be ridiculous to forbid cell phone usage at polling places. The *Commissioner* said that the City shouldn't legislate voter behavior and that if the City let



people alone, maybe they'd vote more often.

Deputy City Attorney Lee said that the SoS does have a policy prohibiting the use of cameras in polling places but gives local county election officials the discretion to make exceptions in certain circumstances.

Commissioner Phair reported that he had attended a meeting in which citizens advocated that their poll observers get cameras and use them in polling places to record certain activities (not actual ballot marking) and conditions.

Deputy City Attorney Lee said that an October 20, 2008 communication from the SoS outlines the prohibition of this activity and she will provide a copy to the Commission.

Public Comment. Sylvia Johnson commented on this item.

THIS ITEM WAS TABLED TO THE CALL OF THE CHAIR.

7. NEW BUSINESS

(a) Discussion and possible action to approve the Minutes of the November 19, 2008 Elections Commission Meeting. Commissioner Matthews MOVED and Commissioner Townsend SECOND approval of the minutes.

Public Comment. Sylvia Johnson commented on this item.
The Roll Call Vote was UNANIMOUS to approve the minutes.

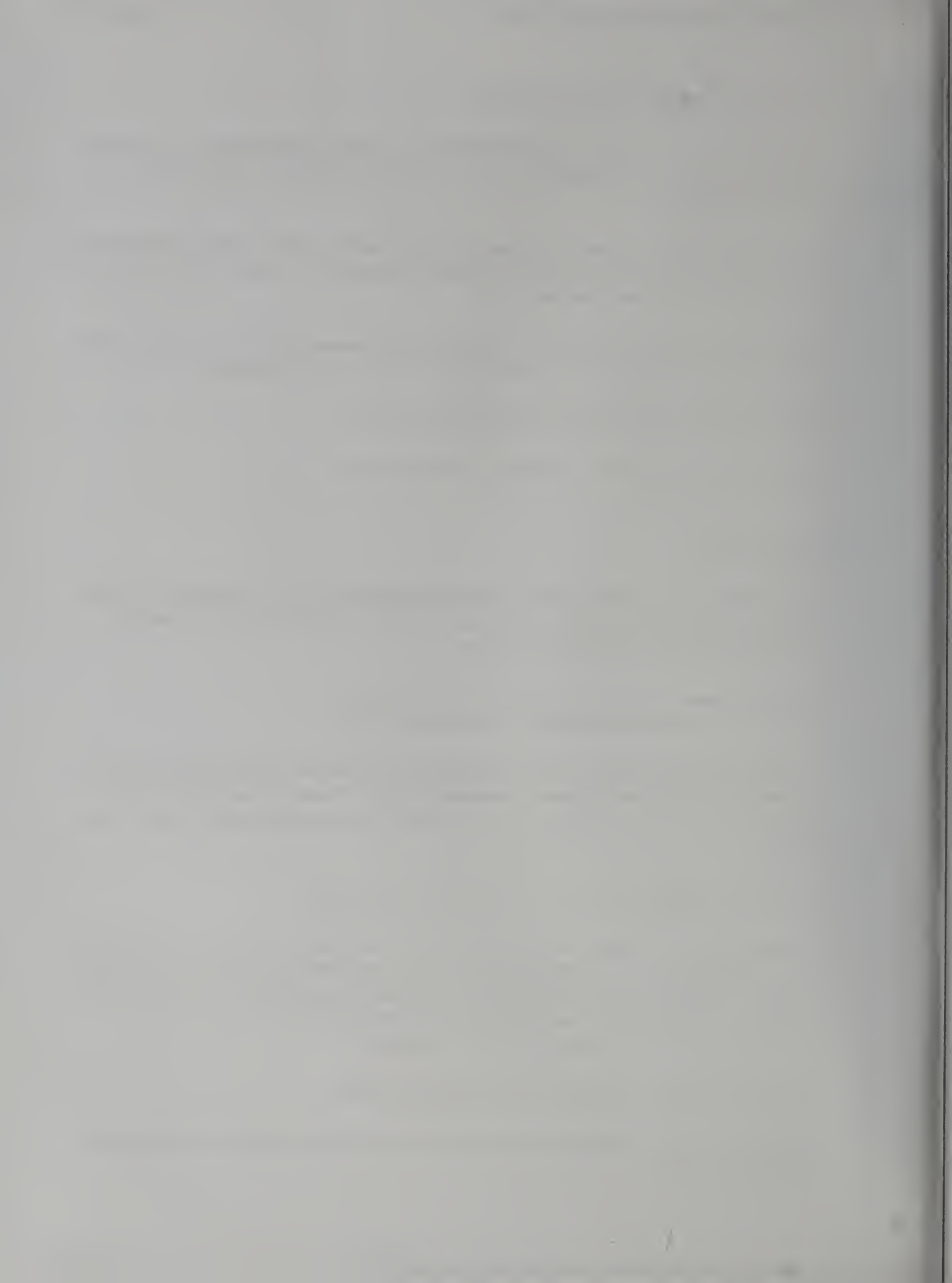
(b) Discussion and possible action regarding final evaluation of the Election Plan for the November 4, 2008 Consolidated Presidential Election. President Gleason reminded the members that there were additional reports to be heard from Commissioners Safont, Yu and Yeung.

The item was CARRIED OVER to the January 21, 2009 meeting.

(c) Discussion and possible action to authorize a Commissioner to speak with members of the Civil Grand Jury regarding the responses to the 2007-08 Civil Grand Jury Report, "A Year of Five Elections", and any earlier Civil Grand Jury Reports. President Gleason MOVED and Commissioner Phair SECONDED that Commissioner Richard Matthews be authorized to speak with members of the Civil Grand Jury.

Public Comment. Sylvia Johnson commented on this item.

The Roll Call Vote was UNANIMOUS to authorize Commissioner Matthews to meeting with the Civil Grand Jury.



(d) **Discussion and possible action regarding the Elections Commission Secretary position.** Elections Commission Secretary Shirley Rodriques announced that she will be retire on January 11, 2009 but will remain at her post until a replacement is selected by the Commission. Commissioner Townsend thanked the Commission Secretary for her years of service to the Commission and to him, especially when he was Commission President. Commissioner Safont congratulated Ms. Rodriques on her years of service, her retirement and said that she enjoyed working with the Secretary. Commissioner Safont offered to help with the recruitment process and asked the Commission Secretary to be available to answer her questions and provide her with assistance. Ms. Rodriques responded that it would be her pleasure to assist the Commissioner.

Deputy City Attorney Lee reminded the Commission of the current budgetary concerns the City is facing and asked the Commission to designate a point person to handle the logistics of replacing the Commission Secretary. The Deputy City Attorney said that she would assist the designee.

Commissioner Matthews thanked the Commission Secretary for her work with the Commission and MOVED that Commissioner Safont be designated the point person on all matters pertaining to the rehiring and eventual funding of the Commission Secretary replacement, working with the Commission President, and Commissioner Phair SECONDED this motion.

President Gleason reminded the Commission that he would be meeting with the Mayor, along with other Commission Presidents regarding the City's budget tomorrow and will be reporting back to the Commission with the information he learns.

The Roll Call Vote was UNANIMOUS for this Motion.

8. **Discussion for items for future agendas.** President Gleason said that the final evaluation of the November 4, 2008 Consolidated Presidential Election Plan would be on the next meeting agenda as well as the election of Commission officers for 2009.

ADJOURNMENT at 8:17 pm.

